

EXHIBIT S

<p style="text-align: right;">Page 34</p> <p>1 Eisenberg</p> <p>2 MR. ROSENFELD: I'm sorry. Only</p> <p>3 for distributing and not for what?</p> <p>4 THE WITNESS: Not for archiving.</p> <p>5 A. -- and images that we send out as</p> <p>6 file or obituary images. Those are already in TEAMS</p> <p>7 and we're just resending them to customers.</p> <p>8 Q. Does TEAMS keep a record of resending</p> <p>9 to customers in that situation?</p> <p>10 A. No.</p> <p>11 Q. Is there some other system that keeps</p> <p>12 a record of that dissemination of an asset?</p> <p>13 A. The sending would go through the</p> <p>14 distribution system.</p> <p>15 Q. And there would be a record on the</p> <p>16 distribution system's database?</p> <p>17 A. I would assume so. That's not a</p> <p>18 system that's in my remit.</p> <p>19 Q. And under what circumstances would a</p> <p>20 picture be identified for distribution but not for</p> <p>21 archive?</p> <p>22 A. I'm not sure that I have an example.</p> <p>23 I know that is a picture desk flow that exists. The</p> <p>24 picture desk would have more examples of that.</p> <p>25 Q. Is it your understanding that that is</p>	<p style="text-align: right;">Page 36</p> <p>1 Eisenberg</p> <p>2 A. I'm aware of the process overall.</p> <p>3 It's not a process I'm personally responsible for</p> <p>4 but I'm aware of the overall principle.</p> <p>5 Q. All right. If you can tell me the</p> <p>6 overall principle, then.</p> <p>7 A. The overall principle is that AFP</p> <p>8 sends us the feed of their images. That feed goes</p> <p>9 through our distribution system. It goes through a</p> <p>10 series of data transformation channels to ensure</p> <p>11 that the formatting of that data is acceptable to</p> <p>12 our system and in the required format for import to</p> <p>13 TEAMS. The images are then sent to TEAMS</p> <p>14 automatically and they are imported and unless there</p> <p>15 is a data problem or missing data, they publish</p> <p>16 directly to the website.</p> <p>17 Q. All right. Let's take them in each</p> <p>18 step. And to the extent you have an understanding</p> <p>19 as to how that step works, I'm going to ask you</p> <p>20 about that.</p> <p>21 So the starting point -- I guess the</p> <p>22 starting point is there is a partner relationship</p> <p>23 between AFP and Getty Images, correct?</p> <p>24 A. Yes.</p> <p>25 Q. And a way that images are transmitted</p>
<p style="text-align: right;">Page 35</p> <p>1 Eisenberg</p> <p>2 an unusual occurrence?</p> <p>3 A. Compared to the overall volume of</p> <p>4 images, yes.</p> <p>5 Q. You used the phrase "not for</p> <p>6 archiving." What is archiving at Getty Images; is</p> <p>7 that having something on the TEAMS system?</p> <p>8 A. Yes.</p> <p>9 Q. Is there a separate archiving</p> <p>10 function or database at Getty Images besides TEAMS</p> <p>11 for editorial pictures?</p> <p>12 A. Not for images that are published,</p> <p>13 no.</p> <p>14 Q. What about for images that are not</p> <p>15 published?</p> <p>16 A. They typically live in the same</p> <p>17 system if they're digital.</p> <p>18 Q. So let's take the example of an image</p> <p>19 flowing from an editorial partner. The typical</p> <p>20 situation: An editorial partner has the image and</p> <p>21 makes it available to and through Getty Images. Do</p> <p>22 you have that in mind?</p> <p>23 A. It depends on the partner.</p> <p>24 Q. Let's use AFP as the example. How</p> <p>25 does the image get from AFP to TEAMS to the website?</p>	<p style="text-align: right;">Page 37</p> <p>1 Eisenberg</p> <p>2 from AFP to Getty is through a feed of images from</p> <p>3 AFP; is that correct?</p> <p>4 A. Yes.</p> <p>5 Q. Are there other means that have been</p> <p>6 used, that you know of, to transmit assets or</p> <p>7 content from AFP to Getty Images besides the feed of</p> <p>8 images?</p> <p>9 A. Yes.</p> <p>10 Q. What are the other ways?</p> <p>11 A. At the beginning of a partnership we</p> <p>12 did a large bulk import of AFP content into our</p> <p>13 systems.</p> <p>14 Q. And that would have been five or ten</p> <p>15 years ago, somewhere in that range?</p> <p>16 A. It would have been at the beginning</p> <p>17 of the relationship.</p> <p>18 Q. Okay. Any other ways in which</p> <p>19 content is transferred from AFP to Getty Images that</p> <p>20 you know of?</p> <p>21 A. I believe we receive everything</p> <p>22 through the feed. It's possible that the picture</p> <p>23 desk has other ways, but I'm not aware of them.</p> <p>24 Q. And what is the feed, if you know?</p> <p>25 A. It's a method for transmitting images</p>

<p style="text-align: right;">Page 38</p> <p>1 Eisenberg</p> <p>2 to us. I don't know technically whether it's FTP or</p> <p>3 a satellite. I don't know.</p> <p>4 Q. But is it your understanding that it</p> <p>5 is a digital transmission on some regular basis from</p> <p>6 AFP to Getty?</p> <p>7 A. Yes.</p> <p>8 Q. Okay. Now, in connection with that</p> <p>9 feed and before it gets through the distribution</p> <p>10 system is there anything that happens to it at Getty</p> <p>11 Images, that is the assets that are on the feed,</p> <p>12 before it gets to TEAMS?</p> <p>13 A. At what step are you referring to?</p> <p>14 Q. The very initial step as the feed is</p> <p>15 coming in from AFP to Getty.</p> <p>16 A. Uh-huh.</p> <p>17 Q. If the assets are properly formatted,</p> <p>18 do they go directly to TEAMS without any human</p> <p>19 intervention?</p> <p>20 A. Once they have gone through the data</p> <p>21 transformation step they do, yes.</p> <p>22 Q. What is the data transformation step,</p> <p>23 so far as you understand?</p> <p>24 A. Simply changing the formatting from</p> <p>25 the structure that AFP has in their system to the</p>	<p style="text-align: right;">Page 40</p> <p>1 Eisenberg</p> <p>2 transmission of the image that's on the AFP feed and</p> <p>3 is going to be imported into TEAMS? What other</p> <p>4 distribution systems must the image run through, if</p> <p>5 any?</p> <p>6 A. What do you mean by "other"?</p> <p>7 Q. Maybe there are no others, maybe it</p> <p>8 is simply the data conversion process. There is no</p> <p>9 other aspect of a distribution system that the image</p> <p>10 must go through before it goes onto TEAMS -- before</p> <p>11 it is imported onto TEAMS?</p> <p>12 A. Again, it's not a system I own or am</p> <p>13 responsible for, so I don't know precisely what</p> <p>14 steps happen in there. I know the general</p> <p>15 principle, which is that it runs through the data</p> <p>16 transformations that are necessary simply to get the</p> <p>17 format of the data correct.</p> <p>18 Q. So then the image, if the formatting</p> <p>19 has gone through without a glitch, is imported onto</p> <p>20 TEAMS. Correct?</p> <p>21 A. Uh-huh.</p> <p>22 Q. What happens next to that image in</p> <p>23 the typical flow?</p> <p>24 A. When it's imported into TEAMS, TEAMS</p> <p>25 runs an automatic check that all the required data</p>
<p style="text-align: right;">Page 39</p> <p>1 Eisenberg</p> <p>2 formatting that our system requires to change it --</p> <p>3 to accept them.</p> <p>4 Q. And is it your understanding that</p> <p>5 that is already built into the system, that function</p> <p>6 of converting from their formatting to Getty's</p> <p>7 formatting?</p> <p>8 A. We built that to make it work.</p> <p>9 Q. So if everything works properly at</p> <p>10 that phase, where does the image -- and let's use a</p> <p>11 single image. Even though it's a feed, where does</p> <p>12 the image go on Getty Images' databases?</p> <p>13 A. It would flow through the system, get</p> <p>14 imported into TEAMS. And assuming the required data</p> <p>15 is present to publish, it would publish to the</p> <p>16 website.</p> <p>17 Q. When you say go through the</p> <p>18 distribution system, is that that conversion process</p> <p>19 that you were identifying or is that something else?</p> <p>20 A. That is part of the overall process,</p> <p>21 which I don't know exactly which part of the</p> <p>22 distribution system would handle that.</p> <p>23 Q. I see.</p> <p>24 What other aspects of the</p> <p>25 distribution system would be involved in the</p>	<p style="text-align: right;">Page 41</p> <p>1 Eisenberg</p> <p>2 for publishing is present. That's what happens for</p> <p>3 every single image. If all the required data is</p> <p>4 present, it will publish it downstream and that will</p> <p>5 send it to the website.</p> <p>6 Q. And is there a list or -- well, do</p> <p>7 you know --</p> <p>8 Strike that. Let me start it again.</p> <p>9 Do you know what data must be present</p> <p>10 in connection with an image that is fed from AFP to</p> <p>11 Getty Images before it will be placed on TEAMS?</p> <p>12 A. Yes.</p> <p>13 Q. What are those data requirements?</p> <p>14 A. It has to have an asset file. It has</p> <p>15 to have a create date.</p> <p>16 Q. Create date?</p> <p>17 A. Uh-huh.</p> <p>18 It has to have a country. It has to</p> <p>19 have a category and a subcategory value. It has to</p> <p>20 have a source. It has to have a linked photographer</p> <p>21 or contract. It typically needs to have something</p> <p>22 in the caption field.</p> <p>23 Q. Anything else?</p> <p>24 A. Can you read the list back to me</p> <p>25 again, please.</p>

<p style="text-align: right;">Page 42</p> <p>1 Eisenberg</p> <p>2 (Answer read: "Uh-huh. It has to</p> <p>3 have a country. It has to have a category</p> <p>4 and a subcategory value. It has to have a</p> <p>5 source. It has to have a linked</p> <p>6 photographer or contract. It typically</p> <p>7 needs to have something in the caption</p> <p>8 field."</p> <p>9 MR. ROSENFELD: And before that you</p> <p>10 said asset file and create date.</p> <p>11 A. It has to have a headline.</p> <p>12 Q. Headline?</p> <p>13 A. Yes. I knew there was something</p> <p>14 else.</p> <p>15 Q. Anything else that you can recall?</p> <p>16 A. Not off the top of my head.</p> <p>17 Q. All right. If something else comes</p> <p>18 to you during this deposition, like a bolt of</p> <p>19 lightning or like any other way, I would ask you to</p> <p>20 offer that to me and let me know that.</p> <p>21 There is another data field that</p> <p>22 would be required before an image is imported from</p> <p>23 an AFP feed to TEAMS.</p> <p>24 A. These are data requirements for any</p> <p>25 editorial asset, not just for AFP.</p>	<p style="text-align: right;">Page 44</p> <p>1 Eisenberg</p> <p>2 Q. That's one of the questions. And</p> <p>3 we'll do them one at a time. That was a compound</p> <p>4 question and you have a very good objection to it.</p> <p>5 Is there an automatic notification to</p> <p>6 anyone that one or more of the fields have not been</p> <p>7 filled out properly and the item is not ready for</p> <p>8 publication?</p> <p>9 A. No, not in TEAMS.</p> <p>10 Q. So then what happens? Does the image</p> <p>11 simply not get published?</p> <p>12 A. Yes.</p> <p>13 Q. And is there any intervention by any</p> <p>14 human to do something to find out why it is that it</p> <p>15 wasn't published and to correct the problem?</p> <p>16 A. Is there or can there be?</p> <p>17 Q. Is there, typically.</p> <p>18 A. If somebody notices that the image is</p> <p>19 not published and it should be, then yes.</p> <p>20 Q. And typically -- well, has that --</p> <p>21 Strike that.</p> <p>22 Has that occurred during the time</p> <p>23 that you've been at Getty Images in connection with</p> <p>24 any images that were fed from AFP to Getty? That</p> <p>25 is, an image for one reason or another had a "No"</p>
<p style="text-align: right;">Page 43</p> <p>1 Eisenberg</p> <p>2 Q. And that would be true from any</p> <p>3 source; is that correct?</p> <p>4 A. Yes. There is a system-required</p> <p>5 field.</p> <p>6 Q. And if one of the fields is either</p> <p>7 empty or not properly filled out, what happens?</p> <p>8 A. The image will be in TEAMS but it</p> <p>9 will not publish to the website.</p> <p>10 Q. And will there be some indication of</p> <p>11 that to someone?</p> <p>12 A. There is a field that's called "Ready</p> <p>13 for publish" that will say "No."</p> <p>14 Q. And what happens next with respect to</p> <p>15 those images that for one reason or another have a</p> <p>16 "No" next to "Ready for publish"?</p> <p>17 A. What happens?</p> <p>18 Q. Yes. Does it go to somebody's</p> <p>19 attention who then tries to follow up and figure out</p> <p>20 what the problem is and correct it? Does it</p> <p>21 automatically go back to AFP? Those sorts of</p> <p>22 things. Or does it just sit there with a big "No"</p> <p>23 on it?</p> <p>24 A. Are you asking if there is an</p> <p>25 automatic notification?</p>	<p style="text-align: right;">Page 45</p> <p>1 Eisenberg</p> <p>2 next to "Ready for publish" and indeed the image was</p> <p>3 not published on Getty's website.</p> <p>4 A. Yes.</p> <p>5 Q. And in any of those instances, as you</p> <p>6 sit here today can you recall what was done, if</p> <p>7 anything, to allow the image to be published?</p> <p>8 A. The missing or incorrect data was</p> <p>9 added which then allowed the image to comply with</p> <p>10 the publish rules and published to the website.</p> <p>11 COURT REPORTER: I'm sorry, the</p> <p>12 published rules?</p> <p>13 A. Publish rules or the validation</p> <p>14 rules. That's a required field.</p> <p>15 Q. And that happened periodically, in</p> <p>16 your experience, with respect to the AFP feed?</p> <p>17 A. Yes.</p> <p>18 Q. Is it a daily occurrence?</p> <p>19 A. It can be. I don't necessarily have</p> <p>20 visibility to that.</p> <p>21 Q. Who would handle that?</p> <p>22 A. Anybody who can make such an edit in</p> <p>23 TEAMS can take that step.</p> <p>24 Q. And do you have the ability to make</p> <p>25 edits in TEAMS?</p>

<p style="text-align: right;">Page 46</p> <p>1 Eisenberg</p> <p>2 A. Yes.</p> <p>3 Q. And about how many people do?</p> <p>4 A. I don't know.</p> <p>5 Q. Is it dozens?</p> <p>6 A. Probably.</p> <p>7 Q. Now, in the instances where you've</p> <p>8 known that an image was not ready for publishing</p> <p>9 because one or more of these fields was not filled</p> <p>10 out either properly or at all, who was it that</p> <p>11 noticed that the image was not ready for publishing?</p> <p>12 A. In a specific instance?</p> <p>13 Q. Yes. Just give me an example.</p> <p>14 A. I may have, the picture desk may</p> <p>15 have.</p> <p>16 Q. Is there anyone at Getty whose job it</p> <p>17 is to see and report on any images that are not</p> <p>18 ready for publishing because there was a glitch in</p> <p>19 one of these fields?</p> <p>20 A. Any single person with that specific</p> <p>21 responsibility?</p> <p>22 Q. A group. Is there anybody whose job</p> <p>23 it is at the end of the day to see how many of these</p> <p>24 things are not being published because there seems</p> <p>25 to be a problem in one of the data fields?</p>	<p style="text-align: right;">Page 48</p> <p>1 Eisenberg</p> <p>2 part of the data transformation is sending it to</p> <p>3 TEAMS, part of the distribution system.</p> <p>4 Q. When you say sending it to TEAMS,</p> <p>5 that would be something automatic if all these other</p> <p>6 steps have been completed properly?</p> <p>7 A. That's part of the path that the</p> <p>8 image takes on the way from the distribution system</p> <p>9 to TEAMS, yes.</p> <p>10 Q. And if everything is fine with the</p> <p>11 image in terms of its formatting, it's been</p> <p>12 converted properly and all the data that should be</p> <p>13 there is present, is there any human intervention at</p> <p>14 Getty Images -- and I'm referring to since January</p> <p>15 of 2010 -- before the image appears on TEAMS?</p> <p>16 A. No.</p> <p>17 Q. When the image appears on TEAMS, what</p> <p>18 happens between that event and the image appearing</p> <p>19 on Getty Images' website?</p> <p>20 A. As I explained just previously, it</p> <p>21 goes through the publish validation steps. That is</p> <p>22 within TEAMS, where it checks that those required</p> <p>23 fields are present and correct.</p> <p>24 Q. And if the "Ready for publish" says</p> <p>25 "Yes" what happens next?</p>
<p style="text-align: right;">Page 47</p> <p>1 Eisenberg</p> <p>2 A. It's something -- different people</p> <p>3 would typically look in their workflows. There is</p> <p>4 no single group whose only job it is to do that.</p> <p>5 Q. And in some instances would someone</p> <p>6 at AFP advise Getty Images that an image that they</p> <p>7 had included in the feed appears -- doesn't appear</p> <p>8 to be on the website? Have you heard of that?</p> <p>9 A. They may. They would work with the</p> <p>10 picture desk, so ...</p> <p>11 Q. And that's away from you, again?</p> <p>12 A. Yes.</p> <p>13 Q. We're going through the process of</p> <p>14 something going from the feed to the Getty Images</p> <p>15 website. If the data fields have either been</p> <p>16 properly filled out or corrected, what happens next</p> <p>17 to an image before it goes onto TEAMS, if anything?</p> <p>18 A. From what point?</p> <p>19 Q. We have the feed, there is a</p> <p>20 particular image. It's gone through the</p> <p>21 distribution system. All of the data that is to be</p> <p>22 presented under the TEAMS criteria are present. Is</p> <p>23 there any other step that needs to occur before the</p> <p>24 image appears on TEAMS or is downloaded onto TEAMS?</p> <p>25 A. No, not that I'm aware. Typically</p>	<p style="text-align: right;">Page 49</p> <p>1 Eisenberg</p> <p>2 A. The image goes from TEAMS to our</p> <p>3 website.</p> <p>4 Q. And is that without any human</p> <p>5 intervention if all of these other steps have</p> <p>6 happened automatically?</p> <p>7 A. Yes.</p> <p>8 Q. When something -- when an image is on</p> <p>9 TEAMS, can it be removed from TEAMS?</p> <p>10 A. What do you mean by that?</p> <p>11 Q. I mean it's not there anymore.</p> <p>12 A. From TEAMS or the website?</p> <p>13 Q. TEAMS.</p> <p>14 A. I don't think so. Images now may</p> <p>15 change to a different model within TEAMS, but we</p> <p>16 don't completely delete them.</p> <p>17 Q. And do you understand whether Getty</p> <p>18 Images can today see what was placed on TEAMS on a</p> <p>19 particular day? Is that a capability that's</p> <p>20 available to Getty Images?</p> <p>21 A. With the exception of some very old</p> <p>22 content, yes.</p> <p>23 Q. So today if you wanted to know what</p> <p>24 was inputted onto TEAMS on January 12, 2010, you can</p> <p>25 secure that information, correct?</p>

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A. I'm not sure. I would have to research that.

Q. Now, during this process from the feed to appearing on the website, when did Getty Images numbers get placed on an image and how do they get placed on an image?

A. When the image is imported into TEAMS it is automatically assigned a number.

Q. So the system does that itself?

A. Yes.

Q. And there is not an instance where an image would be imported onto TEAMS but not given a number, in your experience, correct?

A. That's correct.

Q. And what if the same image comes through a second time through a feed? Is it given a different number or does the system recognize that it's the same image?

A. If it arrives as a separate asset, it will be given its own number.

Q. And are there any -- strike that.

When is "Getty" added to the image prior to it appearing on the website? And by "Getty" I mean either as a credit or as an

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to how that notification process rolls out at Getty Images? And I'm referring to the period January of 2010 to the present.

A. For what content?

Q. Editorial. Editorial stills.

A. It depends on the origin of the content.

Q. What is -- have you ever seen a situation where at Getty Images there has been a change of credit in an image that was available on Getty's website?

A. What do you mean by "credit"?

Q. That a particular image is credited to one individual or entity and that has to be changed. Have you ever seen that at Getty Images?

A. Yes.

Q. And how does that workflow occur, if you know?

A. It would typically be an edit of the asset or it can be a resubmission of the asset.

Q. I see. Well, let's take the case where -- and it's like this case. Are you aware that there was a directive to change the credit of any of the images that are at issue in this case?

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identifier of some kind in the image as it appears on Getty's website.

A. I believe that it's part of the data transformation that occurs before import. I'm not entirely sure but I'm pretty sure it's part of that.

Q. So you think it occurs even before the image rolls onto TEAMS?

A. I believe so.

Q. Now let's talk about what happens if something is -- strike that.

What is your understanding of what a kill notice is?

A. It is a method of notifying recipients of an image that was previously sent but should not have been available and needs to be removed.

Q. And what is your understanding at Getty Images as to the workflow, if there is a typical workflow, for kill notices? And this is since January of 2010.

A. That's not a workflow within my expertise. I know it exists, I know the general principle of it, but it's not a workflow either.

Q. Well, do you have an understanding as

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A. To change?

Q. To have a credit change, changing the name of the photographer.

MR. ROSENFELD: If you know.

A. The part of the work I was involved with, no.

Q. Have you ever seen an instance where an image that was on Getty's website had to have an edit to change the name of the photographer?

A. Any image?

Q. Yes.

A. Yes.

Q. And have you played any part in the actual editing process?

A. Occasionally.

Q. And how did the editing process work in general when there is to be a change in the name of a photographer?

A. It depends on if it's simply a correction of a spelling or an actual correction of which photographer an image is connected to.

COURT REPORTER: I'm sorry. "And it mentions" --

I didn't hear you.

15 (Pages 54 to 57)

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1 Eisenberg
 2 A. Or if it's a change in which
 3 photographer an image is connected to.
 4 Q. Let's take the latter situation where
 5 there is a change in the name of the photographer.
 6 Not just a spelling; there is a different
 7 photographer. How has that process worked for
 8 images on Getty's website since January of 2010?
 9 A. If an image is linked to the wrong
 10 photographer in TEAMS, we would need to edit the
 11 image and link it to the correct photographer.
 12 Q. And when you say "we" in that answer,
 13 who is "we"?
 14 A. It could be anybody who has the
 15 permission to do so.
 16 Q. Did AFP have the permission to edit
 17 anything in TEAMS?
 18 A. That's not something I have control
 19 over so I can't tell you for sure. I believe they
 20 did, but I would not be the person responsible to
 21 confirm that.
 22 Q. Well, in part this is what is called
 23 a 30(b)(6) deposition, and I don't know whether that
 24 information was imparted to you but that's something
 25 that we do want to know about the editing process.

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1 Eisenberg
 2 Who would you ask to find out whether
 3 AFP had access to TEAMS such that they could change
 4 what was in TEAMS?
 5 A. Somebody who has access to the user
 6 management of TEAMS users, an administrative
 7 function.
 8 Q. What group would that be or what
 9 person?
 10 A. The TEAMS group.
 11 Q. And who in TEAMS, if you wanted to
 12 ask that very question?
 13 A. I would put in a ticket to request
 14 that information.
 15 Q. And that would then go to the TEAMS
 16 group and they would determine who should respond.
 17 Is that how that worked?
 18 A. Yes.
 19 Q. When you've gone in --
 20 You said you have on occasion edited
 21 an asset to change the name of the photographer.
 22 A. Uh-huh.
 23 Q. What were the instances where you've
 24 done that? How did it come to your attention the
 25 change should be made?

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1 Eisenberg
 2 A. I would receive a request from
 3 somebody in the business and who can approve such
 4 requests, and I would then go ahead and make that
 5 change.
 6 Q. And would TEAMS record and preserve
 7 the identity of who made the change? Is that part
 8 of the metadata?
 9 A. It records who last made a change to
 10 the asset. I don't know for sure if it records
 11 every change ever made to the asset.
 12 Q. Okay.
 13 A. That I don't know.
 14 Q. Who would know that?
 15 A. Again, the TEAMS group.
 16 Q. Do you know who Daniel Morel is?
 17 A. Only through this case.
 18 Q. And who is he, so far as you
 19 understand?
 20 A. A photographer.
 21 Q. A photographer who was in Haiti at
 22 the time of the earthquake; is that your
 23 understanding?
 24 A. I believe so.
 25 Q. Do you know who Lisandro Suero is?

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1 Eisenberg
 2 A. I've only heard the name in
 3 connection with this case.
 4 Q. And what is your understanding as to
 5 who he was and how he's connected to this case?
 6 A. I'm not sure. All I know is that his
 7 name was on some of the images we found in our
 8 system.
 9 Q. Taking Daniel Morel first, when did
 10 you first hear of his name?
 11 A. Whenever the request for these images
 12 first came up.
 13 Q. Prior to that time, did you
 14 understand that there had been any change in the
 15 name of the photographer of any images relating to
 16 the Haiti earthquake? That is prior to the time
 17 that you were asked to do something with respect to
 18 Daniel Morel.
 19 A. Not that I recall.
 20 Q. If there was a change of the name of
 21 the photographer that was to be made, in January of
 22 2010 would you have been part of that change
 23 process?
 24 A. Possibly, but not necessarily.
 25 Q. And why do you say that?

16 (Pages 58 to 61)

1 Eisenberg
 2 A. Other people have the ability to make
 3 these changes.
 4 Q. And are those people who report to
 5 you?
 6 A. No.
 7 Q. And do you have any recollection in
 8 participating in a change of name of the
 9 photographer for any Daniel Morel images?
 10 A. Not that I recall.
 11 Q. Same question for Lisandro Suero. Do
 12 you recall participating in any change of name of
 13 the photographer for any assets that had been
 14 identified as his?
 15 A. Do you mean "change" as in updating
 16 the images or including removal of the images?
 17 Q. First I'm just asking about changing
 18 the name from Lisandro Suero to someone else. Did
 19 you participate?
 20 A. Not that I recall.
 21 Q. One of the things that you
 22 identified, one of the pieces of data that must be
 23 present before TEAMS would accept the image was the
 24 source and the other was the linked photographer or
 25 contract. Do you remember that?

1 Eisenberg
 2 A. Uh-huh.
 3 Q. Yes?
 4 A. Yes.
 5 Q. And is the name of the photographer
 6 one of the things that is required? The name of an
 7 individual photographer before an image will be
 8 downloaded onto TEAMS.
 9 A. That is part of the data.
 10 Q. Which category? Which one of those
 11 fields does it apply to? Is it source or linked
 12 photographer or contract, or something else?
 13 A. Can you repeat the question?
 14 Q. Yes.
 15 In which of these categories that you
 16 provided us of required data is the name of the
 17 photographer required?
 18 A. It creates the link to the
 19 photographer.
 20 Q. And that's the linked photographer or
 21 contract requirement in the data that must be
 22 present?
 23 A. Yes.
 24 Q. And must it be the name of an
 25 individual or can the linked photographer be an

1 Eisenberg
 2 entity in order for an image to be accepted on
 3 TEAMS?
 4 A. As long as it matches what we have in
 5 our system, the name could be anything. It could be
 6 the name of an entity, it could be a specific
 7 individual name.
 8 Q. And have you seen in that linked
 9 photographer or contract or name field a situation
 10 where the only identifier has been AFP?
 11 A. Yes.
 12 Q. So that TEAMS will accept an image if
 13 the linked photographer is identified as AFP; is
 14 that correct?
 15 A. Yes.
 16 Q. And there is no requirement of any
 17 additional name?
 18 A. How do you mean?
 19 Q. I mean a particular photographer. It
 20 will still be accepted on TEAMS and ultimately
 21 passed through to the website if the linked
 22 photographer or contract is AFP?
 23 A. Yes. The only requirement in TEAMS
 24 is that we have a record that matches the name that
 25 comes in.

1 Eisenberg
 2 Q. Okay. So if on the AFP feed the same
 3 image is coming through under the name Daniel Morel
 4 and another, the same image, is coming under the
 5 name Lisandro Suero and another image is coming
 6 through under the name AFP, all of those will be
 7 accepted by TEAMS if all the other data is present
 8 and each image will be given its own number; is that
 9 correct?
 10 A. If they arrive as separate assets,
 11 yes.
 12 Q. And that's been true for how long?
 13 A. For as long as I recall. TEAMS
 14 assigns a new number to each new asset it receives.
 15 Q. And you've known that for years,
 16 correct?
 17 A. Yes.
 18 Q. And so far as you know, is that
 19 commonly understood at Getty Images? That is, that
 20 if an image-- the identical image comes in under
 21 different indicators, it could be published
 22 separately under each one of those indicators?
 23 A. What do you mean by "indicators"?
 24 Q. Name: AFP, Lisandro Suero, Daniel
 25 Morel, Mickey Mouse.

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1 Eisenberg
2 A. I believe it's known.
3 MR. BAIO: I am going to ask the
4 reporter to mark as Eisenberg 1 --
5 THE WITNESS: Can we take a quick
6 break?
7 MR. BAIO: Oh, surely. Yes,
8 absolutely. Let's take a short break.
9 THE VIDEOGRAPHER: This concludes
10 tape number 2. The time is 11:22 a.m. We
11 are off the record.
12 (Recess taken.)
13 MR. BAIO: Please mark these.
14 (Eisenberg Exhibit 1, four-page
15 document bearing Bates Nos. G002793 to
16 G002796, marked for identification.)
17 (Eisenberg Exhibit 2, document
18 bearing Bates Nos. AFP000513 to AFP00519,
19 marked for identification.)
20 (Eisenberg Exhibit 3, multi-page
21 document bearing Bates Nos. G002803 to
22 G002821, marked for identification.)
23 (Eisenberg Exhibit 4, multi-page
24 document bearing Bates Nos. G002859 through
25 G002935, marked for identification.)

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1 Eisenberg
2 THE VIDEOGRAPHER: This begins tape
3 number 3. The time is 11:37 a.m. We are
4 back on the record.
5 MR. BAIO: Just to clarify a point,
6 not so much for you but I guess for
7 counsel, this is a notice deposition of
8 the witness in her capacity as an employee
9 but I believe you also in an e-mail
10 designated her as a continuing part of the
11 30(b)(6), particularly with respect to
12 back-end information and metadata to the
13 extent it was not covered by Ms. Calhoun.
14 Is that right?
15 MR. ROSENFELD: Yes.
16 My understanding is that we were
17 saying that Ms. Eisenberg was the
18 30(b)(6) witness on the back-end system.
19 So to the extent that her testimony is
20 about that, she is testifying as a
21 30(b)(6) and otherwise she is testifying
22 in her individual capacity.
23 MR. BAIO: Yes. And that's what
24 the record will reflect.
25 Q. So I have marked as Exhibit 1 a

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1 Eisenberg
2 four-page document with the Bates numbers G00-2793
3 to 96.
4 MR. BAIO: And Shoshanna, please
5 hand that out.
6 I am putting that before the
7 witness. You will be getting your copy
8 coming around or you can look at the
9 original. Either way.
10 Q. And Ms. Eisenberg, it is an e-mail
11 chain. Part of it is redacted by counsel for Getty
12 Images but if you read from the bottom up, so to
13 speak, you will see them I think in chronological
14 order. And I will be asking you about the various
15 e-mails in this chain. Let me know when you are
16 done reviewing. It's two-sided.
17 A. Okay.
18 Q. Have you had an opportunity to look
19 at Eisenberg Exhibit 1, this e-mail chain that we
20 have marked as an exhibit?
21 A. Yes.
22 Q. And if you look on the first page of
23 that document under the word "redacted" there
24 appears an e-mail from Heather Cameron to you, Lisa
25 Wilmer and CC'ing Pancho Bernasconi and Nancy Monson

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1 Eisenberg
2 dated February 2, at 15:42:16, 2010.
3 Do you see that?
4 A. Yes.
5 Q. Did you receive this e-mail at or
6 around that date in time?
7 A. I believe so. I don't have a
8 specific recollection of this e-mail.
9 Q. Do you have any reason to believe
10 that you didn't receive it?
11 A. No.
12 Q. And you remember learning about the
13 issue that's discussed in this document, correct?
14 In Exhibit 1.
15 A. Yes.
16 Q. You remember learning about Daniel
17 Morel and his Haiti images as described in this
18 Exhibit 1, correct?
19 A. As described in this e-mail, yes.
20 Q. And did you read the e-mail when you
21 received it?
22 A. I believe so.
23 Q. And you actually did follow up based
24 upon the inquiries that were made to you; is that
25 correct?

18 (Pages 66 to 69)

<p style="text-align: right;">Page 70</p> <p>1 Eisenberg</p> <p>2 A. I believe so.</p> <p>3 Q. Was this e-mail or the e-mail beneath</p> <p>4 it which is from Heather Cameron to you and Jennifer</p> <p>5 Walker, was this the first time that you heard about</p> <p>6 the Daniel Morel Haiti images issue?</p> <p>7 A. As far as I recall.</p> <p>8 Q. Do you remember learning about the</p> <p>9 issue prior to February 2, 2010, which is the date</p> <p>10 that you received this e-mail chain?</p> <p>11 A. I don't remember. That was almost</p> <p>12 two years ago.</p> <p>13 Q. Do you remember taking any action in</p> <p>14 connection with the Daniel Morel or Haiti images or</p> <p>15 any earthquake images concerning Haiti prior to</p> <p>16 February 2nd of 2010?</p> <p>17 A. Any action in regards to any</p> <p>18 earthquake images?</p> <p>19 Q. Yes.</p> <p>20 A. In Getty Images' system?</p> <p>21 Q. Prior to February 2, 2010.</p> <p>22 A. Would that include images unrelated?</p> <p>23 Q. Yes.</p> <p>24 A. I don't recall. It's certainly</p> <p>25 possible. It's part of what I do every day.</p>	<p style="text-align: right;">Page 72</p> <p>1 Eisenberg</p> <p>2 A. I would have been working. I know we</p> <p>3 received a lot of images.</p> <p>4 Q. On which day?</p> <p>5 A. We receive a lot of images every day.</p> <p>6 Generally when there is a big news event we would</p> <p>7 typically receive more images as soon as we can get</p> <p>8 people there to provide coverage.</p> <p>9 Q. And do you, as you sit here today,</p> <p>10 know whether Getty Images had people in Haiti the</p> <p>11 day of the event?</p> <p>12 A. I don't know.</p> <p>13 Q. Would you be surprised to learn that</p> <p>14 Getty Images did not have anyone on the ground on</p> <p>15 the day of the earthquake?</p> <p>16 A. The logistics part is not what I</p> <p>17 would work on so I don't know that I could judge</p> <p>18 whether that would be surprising or not.</p> <p>19 Q. And as you sit here today, do you</p> <p>20 recall whether there was a significant inflow of</p> <p>21 imagery on the same day as the earthquake relating</p> <p>22 to the earthquake?</p> <p>23 A. I don't recall when that flow of</p> <p>24 imagery would have started.</p> <p>25 Q. Okay.</p>
<p style="text-align: right;">Page 71</p> <p>1 Eisenberg</p> <p>2 Q. And do you recall prior to receiving</p> <p>3 this exhibit on February 2 or the information in</p> <p>4 this exhibit on February 2, 2010 that you</p> <p>5 participated in the removal of any images relating</p> <p>6 to the Haiti earthquake prior to the date of this</p> <p>7 e-mail?</p> <p>8 A. I don't remember. I work on -- I</p> <p>9 work on a lot of projects with a lot of different</p> <p>10 people every day. I don't recall the specifics.</p> <p>11 Q. Understood.</p> <p>12 Do you remember when the Haiti</p> <p>13 earthquake hit on January 12, 2010?</p> <p>14 A. I remember that it happened.</p> <p>15 Q. Do you remember a lot of activity at</p> <p>16 Getty Images that you were learning about concerning</p> <p>17 that earthquake on January 12, 2010?</p> <p>18 A. What do you mean in terms of</p> <p>19 activity?</p> <p>20 Q. Scurrying around trying to get</p> <p>21 information, making sure that things are loaded?</p> <p>22 Anything about the earthquake. A dramatic</p> <p>23 news-breaking event. Do you remember doing anything</p> <p>24 at Getty Images the day that dramatic event was</p> <p>25 unfolding?</p>	<p style="text-align: right;">Page 73</p> <p>1 Eisenberg</p> <p>2 So when you got Exhibit 1 on</p> <p>3 February 2, 2010, you said you read it. Let's look</p> <p>4 at the first e-mail in chronology, which appears on</p> <p>5 the page with the numbers 2795, and I think you will</p> <p>6 see it's from Claire Keeley to Heather Cameron and</p> <p>7 the subject is the Daniel Morel Haiti images.</p> <p>8 This was attached to the chain that</p> <p>9 you received, correct?</p> <p>10 A. I believe so.</p> <p>11 Q. And do you remember reading it?</p> <p>12 A. I don't specifically remember reading</p> <p>13 it. It was two years ago when I first read it.</p> <p>14 Q. Okay. Let's see if we can refresh</p> <p>15 your recollection. Do you know who Claire Keeley is</p> <p>16 or was at the time you received this?</p> <p>17 A. Other than what her title is at the</p> <p>18 bottom of the e-mail, no.</p> <p>19 Q. So you understood, though, that she</p> <p>20 was from Corbis, correct?</p> <p>21 A. I can see in the e-mail that she</p> <p>22 works for Corbis.</p> <p>23 Q. And you understood when you read this</p> <p>24 that she was identifying a serious problem that she</p> <p>25 was hoping Getty Images could resolve.</p>

<p style="text-align: right;">Page 74</p> <p>1 Eisenberg</p> <p>2 And I realize you didn't get the</p> <p>3 e-mail until February 2nd, but when you read it you</p> <p>4 understood that Corbis was identifying an issue?</p> <p>5 A. Yes.</p> <p>6 Q. Had you in the past seen requests by</p> <p>7 other agencies or groups identifying a problem with</p> <p>8 an image that appeared on Getty Images' website?</p> <p>9 A. I had previously seen such requests,</p> <p>10 yes.</p> <p>11 Q. And if you're asked to do something</p> <p>12 or were asked to do something in connection with</p> <p>13 that, as a good employee of Getty Images you tried</p> <p>14 to fulfill the duties that were put to you, correct?</p> <p>15 A. To the best of my abilities.</p> <p>16 Q. And you did that in this case as</p> <p>17 well, correct?</p> <p>18 A. As far as I recall, yes.</p> <p>19 Q. Now, Ms. Keeley is referring to the</p> <p>20 following, if you look at the second sentence.</p> <p>21 "Today one of Corbis' editorial photographers</p> <p>22 uploaded some of his pictures from the earthquake in</p> <p>23 Haiti and put them on his Twitter page."</p> <p>24 Do you see that?</p> <p>25 A. I do.</p>	<p style="text-align: right;">Page 76</p> <p>1 Eisenberg</p> <p>2 copied the images as described by Ms. Keeley?</p> <p>3 A. I did not receive that at the time.</p> <p>4 Q. And in February 2, 2010 did you ask</p> <p>5 anybody, "What is this illegally copied stuff?"</p> <p>6 A. That was not what was requested of</p> <p>7 me.</p> <p>8 Q. So you didn't ask that?</p> <p>9 A. I don't believe so.</p> <p>10 Q. Then it refers to one such example is</p> <p>11 on the home page of the New York Times website.</p> <p>12 Daniel's picture is the 14th one and it is credited</p> <p>13 as Daniel Morel/AFP Getty Images.</p> <p>14 Do you see that?</p> <p>15 A. Yes.</p> <p>16 Q. As you look as they credit Daniel</p> <p>17 Morel/AFP Getty Images what does that mean to you,</p> <p>18 if anything?</p> <p>19 A. What do you mean?</p> <p>20 Q. Does it mean that Getty Images has</p> <p>21 rights to the image?</p> <p>22 That's your understanding. I am not</p> <p>23 asking for a legal conclusion, but when you see</p> <p>24 Getty's name on a credit, do you believe that Getty</p> <p>25 is saying "We have the right to publish this"?</p>
<p style="text-align: right;">Page 75</p> <p>1 Eisenberg</p> <p>2 Q. Did you understand that that was</p> <p>3 being -- that the author was referring to Daniel</p> <p>4 Morel there?</p> <p>5 A. It does not say so specifically, but</p> <p>6 I made that assumption based on the subject line and</p> <p>7 the next sentence.</p> <p>8 Q. The next sentence states, "It appears</p> <p>9 that they were then illegally copied and distributed</p> <p>10 to third parties, including Getty."</p> <p>11 Do you see that?</p> <p>12 A. Yes.</p> <p>13 Q. And what was your understanding of</p> <p>14 what that was referring to?</p> <p>15 A. Which part?</p> <p>16 Q. The illegally copied and distributed</p> <p>17 to third parties.</p> <p>18 A. I assumed that the "distributed to</p> <p>19 third parties" meant that the images had been sent</p> <p>20 to us.</p> <p>21 Q. And what was your understanding about</p> <p>22 "illegally copied"?</p> <p>23 A. That's what Corbis at the time were</p> <p>24 reporting as having happened to the images.</p> <p>25 Q. And did you ask anyone who illegally</p>	<p style="text-align: right;">Page 77</p> <p>1 Eisenberg</p> <p>2 A. I -- seeing that would make me think</p> <p>3 that it is an image that went through our</p> <p>4 syndication.</p> <p>5 Q. And through your syndication means</p> <p>6 what?</p> <p>7 A. That we sent out and distributed to</p> <p>8 clients and to our website.</p> <p>9 Q. And is it your understanding, then,</p> <p>10 that when something is on your website that people</p> <p>11 could buy a license to the image?</p> <p>12 A. Unless the image is set up to not do</p> <p>13 that, yes.</p> <p>14 Q. And if it's not set up to do that,</p> <p>15 what about people who receive the Getty feed?</p> <p>16 Let me ask first. What is Getty's</p> <p>17 feed, if there is one?</p> <p>18 A. It would be the series of images</p> <p>19 originating from Getty Images as one of our</p> <p>20 editorial feeds that we transmit to clients.</p> <p>21 Q. And about how many clients receive</p> <p>22 that feed today?</p> <p>23 A. I have no idea.</p> <p>24 Q. Is it tens? Twenties? Hundreds?</p> <p>25 Give me a range.</p>

<p style="text-align: right;">Page 78</p> <p>1 Eisenberg</p> <p>2 A. I don't know. That's outside of my</p> <p>3 expertise.</p> <p>4 Q. So looking up at the next e-mail</p> <p>5 there is Heather Cameron again to Claire Keeley. Do</p> <p>6 you remember reading that e-mail?</p> <p>7 A. Again, I don't have a specific</p> <p>8 recollection of reading it.</p> <p>9 Q. But you are not denying it was part</p> <p>10 of what you saw?</p> <p>11 A. No, no.</p> <p>12 Q. If you look at the next e-mail up,</p> <p>13 which is on the pages ending with the number 2794,</p> <p>14 that's from Jennifer Walker to Heather Cameron on</p> <p>15 February 2, 2010, and that -- in that e-mail she</p> <p>16 states, "Hi Heather I've just been notified that</p> <p>17 Getty still has not removed the Daniel Morel images</p> <p>18 from its website. Please see the below link." And</p> <p>19 there is a link identified and you will see it has</p> <p>20 Lisandro Suero's name embedded in it.</p> <p>21 Do you see that?</p> <p>22 A. I do.</p> <p>23 Q. And did you, when you received this</p> <p>24 e-mail, click on that link?</p> <p>25 A. I don't remember.</p>	<p style="text-align: right;">Page 80</p> <p>1 Eisenberg</p> <p>2 A. I believe so.</p> <p>3 Q. And if this is New York time 5:32,</p> <p>4 you were in California at the time?</p> <p>5 A. I think so.</p> <p>6 Q. So that would have been 2:32, three</p> <p>7 hours earlier?</p> <p>8 A. I don't know what assigns the system</p> <p>9 time. Heather Cameron is in Seattle, so that may</p> <p>10 have been Pacific time.</p> <p>11 Q. So looking at that e-mail that she</p> <p>12 sent to you and Jennifer Walker and also cc'd Pancho</p> <p>13 Bernasconi --</p> <p>14 Who is Mr. Bernasconi?</p> <p>15 A. He is our director of photography, I</p> <p>16 believe is his title at the moment.</p> <p>17 Q. Do you report to him in any way?</p> <p>18 A. No.</p> <p>19 Q. She states in that e-mail, "Jennifer,</p> <p>20 I'm so sorry. I'm not sure what happened. I</p> <p>21 thought all of them were pulled from our site when</p> <p>22 you contacted us on the 13th. We'll get these</p> <p>23 additional 12 down ASAP. If you haven't heard back</p> <p>24 from Vincent, you can try contacting Eva Hambach.</p> <p>25 She confirmed she received our e-mail on the 13th</p>
<p style="text-align: right;">Page 79</p> <p>1 Eisenberg</p> <p>2 Q. Do you remember reading the language</p> <p>3 I just read to you?</p> <p>4 A. Again, I don't specifically recall</p> <p>5 reading this because it was two years ago.</p> <p>6 Q. Do you remember learning that there</p> <p>7 had been -- and this is on February 2, 2010 -- that</p> <p>8 Getty Images had removed a number of images from its</p> <p>9 website prior to February 2, 2010, which images were</p> <p>10 created by Daniel Morel?</p> <p>11 A. Yes, as far as this particular e-mail</p> <p>12 referred to them.</p> <p>13 Q. And did you understand that there</p> <p>14 were, as a result of this exchange, a number of</p> <p>15 images also created by Daniel Morel which had not</p> <p>16 been removed from Getty's website?</p> <p>17 A. I understood that there was a list of</p> <p>18 images that Jennifer Walker referred to as being</p> <p>19 from Daniel Morel and still being on the Getty</p> <p>20 Images website.</p> <p>21 Q. And if you look at the next e-mail up</p> <p>22 which starts on the first page of Eisenberg 1, that</p> <p>23 appears to be the first e-mail to you on this</p> <p>24 subject. Is that your recollection as well, this is</p> <p>25 the first e-mail that you received on the subject?</p>	<p style="text-align: right;">Page 81</p> <p>1 Eisenberg</p> <p>2 alerting her to the issue."</p> <p>3 Do you remember reading that at or</p> <p>4 about the date this bears?</p> <p>5 A. As before, no specific recollection</p> <p>6 but it is part of the e-mail.</p> <p>7 Q. Did you understand that there had</p> <p>8 been removed from the website prior to February 2nd</p> <p>9 a bunch of images as described in Ms. Cameron's</p> <p>10 e-mail?</p> <p>11 A. That's what I understood from her</p> <p>12 e-mail.</p> <p>13 Q. And the directive then to you is</p> <p>14 "Chris, would you please make sure the images below</p> <p>15 are removed from the site immediately. If you could</p> <p>16 please reply back to all if us when they are</p> <p>17 down" -- I guess that meant all of us but it says if</p> <p>18 us -- "that would be terrific. Thanks."</p> <p>19 Do you see that?</p> <p>20 A. I do.</p> <p>21 Q. And then there are a bunch of</p> <p>22 numbers. What do those numbers reflect?</p> <p>23 A. I assume those to be the asset</p> <p>24 numbers of those images within our system.</p> <p>25 Q. And what did you do when you received</p>

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this?

A. I don't specifically recall the exact steps simply because it was almost two years ago but what I would typically do is search for those images, look at the data on the images to make sure that they match the description of what is being talked about.

The purpose of that step is to make sure that somebody didn't make a typo in one of the numbers and we accidentally include an image that actually shouldn't be part of this.

Q. Okay.

A. I would have then addressed any queries that looking at that data brought up and if everything matched the description in the original e-mail request, I would then follow the request and pull the images.

Q. Okay. And that's what you believe you actually did in connection with this request? I realize the timing --

I'm sorry. You said, "I believe so." The timing may not be exactly as you described but you believe you took those steps, correct?

A. Yes.

Eisenberg

Q. Now, if you look at Ms. Cameron's e-mail to you above that -- and she drops off Jennifer Walker, the person from Corbis -- she writes to you, "Chris, I'm not sure why we didn't capture all of them at the same time so I have attached an e-mail that includes a list of images pulled by Preston on the 13th as well as the kill notice we received on the 14th."

Do you see that?

A. I do.

Q. And who was Preston?

A. I'm assuming that referred to Preston Rescigno. He is the picture desk editor that works for Pancho.

Q. From this e-mail there was an attachment that included a list of images that were pulled on the 13th, correct?

A. I believe so.

Q. And did you look at that list?

A. Most likely.

Q. And that list had numbers and it would identify the images that were pulled off the website?

A. Most likely. I can't tell without

Eisenberg

seeing it.

Q. And there is also a reference to a "kill notice we received on the 14th." Do you see that?

A. I do.

Q. And did you see the kill notice that was attached to the e-mail to you on February 2, 2010?

A. I don't recall.

Q. There is then a question to you: "Is there any chance these 12 were delayed on the upload process or something so they appeared live on the site after Preston's pull? Very odd." And then she goes on to state, "Lisa, looks like we missed some images the first time around. Bummer." Do you see that?

A. I do.

Q. Did you respond to her, her inquiry about whether there was a delay and that's why they appeared live after the pull?

A. I don't remember exactly. I assume I would have.

Q. But you don't remember doing that one way or the other?

Eisenberg

A. Not specifically.

Q. And what did you do next after this? You said that you had looked. Do you remember what conclusion you drew based upon your review?

A. For what question?

Q. Make sure the images below are removed from the site immediately. It's a question that appears on the bottom of the first page, "Chris, would you please make sure."

A. As far as I recall, I went through the process that I described just previously.

Q. And then did you pull down the images from the site?

A. I pulled down -- I believe that I pulled down the images that were in the list of asset numbers that Heather had requested.

Q. And when you looked at the asset numbers that Heather had requested, did you discover anything?

A. I have a hard time remembering that without seeing those images.

Q. Okay.

A. It was two years ago.

Q. Okay.

<p style="text-align: right;">Page 86</p> <p>1 Eisenberg</p> <p>2 A. Sorry.</p> <p>3 Q. Well, do you remember finding out</p> <p>4 that the credits had been to Lisandro Suero and not</p> <p>5 Daniel Morel? And by the credits I mean to those</p> <p>6 numbers that appear on the second page of Exhibit 1.</p> <p>7 A. I don't recall if it was part of this</p> <p>8 e-mail chain. I know that some of the images we</p> <p>9 looked at had a caption credit that had Lisandro</p> <p>10 Suero's name and I therefore questioned whether</p> <p>11 those were the images that needed to be removed</p> <p>12 because the removal request very specifically talked</p> <p>13 about removing images from Daniel Morel.</p> <p>14 Q. Now, when you -- when you did what</p> <p>15 you just described, did you look at the images that</p> <p>16 were on Preston's list that had been provided to you</p> <p>17 the same day?</p> <p>18 A. When I first looked at the list of</p> <p>19 images that Heather provided, that was before I</p> <p>20 received the other e-mail.</p> <p>21 Q. When was that, then? When did you --</p> <p>22 What are you referring to before</p> <p>23 February 2, 2010?</p> <p>24 A. No. There was two e-mails.</p> <p>25 Q. Yes.</p>	<p style="text-align: right;">Page 88</p> <p>1 Eisenberg</p> <p>2 the Heather Cameron e-mail, correct? That's the</p> <p>3 numbers that appear on the second page of this</p> <p>4 exhibit.</p> <p>5 MR. ROSENFELD: Objection to the</p> <p>6 characterization of her testimony.</p> <p>7 Q. Do you have the question in mind?</p> <p>8 A. Can you repeat the question?</p> <p>9 Q. Let me ask you: There are 12 images</p> <p>10 that are identified in Ms. Cameron's e-mail to you</p> <p>11 when she asks you to take the images down and remove</p> <p>12 them from the site, correct? Twelve.</p> <p>13 A. I did not count them.</p> <p>14 Q. Take your time.</p> <p>15 A. But that appears to be -- yes, that</p> <p>16 appears to be the case.</p> <p>17 Q. And then there was a list of the</p> <p>18 images that Preston had taken down. Do you see</p> <p>19 that?</p> <p>20 A. I see that Heather refers to it. I</p> <p>21 don't have the actual list here.</p> <p>22 Q. I don't either. I don't have it</p> <p>23 attached to this, but it identifies images.</p> <p>24 And did you compare the two? There</p> <p>25 were 12 on one list and then there is the Preston</p>
<p style="text-align: right;">Page 87</p> <p>1 Eisenberg</p> <p>2 A. The initial e-mail from Heather</p> <p>3 Cameron to me that requested me to remove the images</p> <p>4 did not talk about Preston.</p> <p>5 Q. I see. And then 10 minutes later you</p> <p>6 received the next e-mail, correct?</p> <p>7 A. Yes.</p> <p>8 Q. Now, after you received the second</p> <p>9 e-mail, I asked you whether you looked at the</p> <p>10 Preston images.</p> <p>11 A. I don't recall whether and when. I</p> <p>12 assume that I most likely would have. Typically if</p> <p>13 I investigate something I would if I get more</p> <p>14 information. I don't know at what time that would</p> <p>15 have been.</p> <p>16 Q. Okay. But there weren't that many</p> <p>17 images on the Preston list? Are there 10 or so?</p> <p>18 A. I don't recall.</p> <p>19 Q. Well, do you remember this whole</p> <p>20 thing, seeing hundreds of images in the process of</p> <p>21 the Daniel Morel issue?</p> <p>22 A. I don't believe so but I don't</p> <p>23 recall.</p> <p>24 Q. So you saw the Preston images and</p> <p>25 then there were 12 images that were identified in</p>	<p style="text-align: right;">Page 89</p> <p>1 Eisenberg</p> <p>2 list, and did you visually look at them to see if</p> <p>3 the images were the same?</p> <p>4 A. I don't recall exactly what I did.</p> <p>5 Q. You don't recall one way or the other</p> <p>6 whether you looked at the 12 and compared them to</p> <p>7 the Preston list?</p> <p>8 A. I looked at the 12 because I had been</p> <p>9 requested to pull the images.</p> <p>10 Q. Okay.</p> <p>11 A. I don't recall exactly what I did</p> <p>12 with them in relation to Preston.</p> <p>13 Q. And you don't recall whether you just</p> <p>14 eyeballed them to see whether the 12 were just like</p> <p>15 the ones that appeared on Preston's list? You don't</p> <p>16 recall doing that?</p> <p>17 A. Not specifically, no.</p> <p>18 Q. Let me show you what I have marked as</p> <p>19 Exhibit 2. It's a document produced by AFP, 000513</p> <p>20 to 519. And I don't expect you to have seen the</p> <p>21 first page, but you will see that starting on the</p> <p>22 second page you are involved in a number of e-mail</p> <p>23 exchanges starting on the Bates numbered Page 514,</p> <p>24 near the bottom of the page -- I'm sorry, not 514.</p> <p>25 515 at the top of the page.</p>

Eisenberg
MR. BAIO: And just for the record while you were looking and take whatever time you need, you will see that this is a different chain but it starts in the same place as the last with the Claire Keeley e-mail dated January 13, leading up to the directive to you from Heather Cameron dated February 2 at 5:32 p.m. Then it picks up from there and I'm going to ask you about the picking up from there.

THE WITNESS: Can we make it a little bit warmer? It's getting a little cold.

THE VIDEOGRAPHER: The time is 12:12 p.m. We are going off the record. (Recess taken.)

THE VIDEOGRAPHER: The time is 12:12 p.m. and we will go back on the record.

MR. BAIO: It will take a minute or two or four.

THE WITNESS: Thank you.

Q. I would like you to look at the exhibit from that Page 515 to the end and I'll ask

Eisenberg
you some questions.

A. From 515 onwards?

Q. Yes. Towards the back.

A. So I don't need to look at the first pages?

Q. That's correct.

Have you had an opportunity to review those pages of this e-mail chain?

A. Yes, just now.

Q. And the pages that I brought to your attention starting in the more recent time period on 515, Heather Cameron to Jennifer Walker and you dated February 2, 2010 at 6:21 p.m., do you see that e-mail?

A. Yes.

Q. Did you receive that e-mail at or about the date it bears?

A. I believe so.

Q. And did you participate in the exchange that appears below that?

Wherever your name appears as someone making a statement.

A. (No response.)

Q. Let me change that.

Eisenberg
If you look at the Page 516, you'll see that the e-mail from Heather Cameron to you and Jennifer Walker at 5:32 on February 2, 2010 reappears here. Do you see that?

A. Yes, I do.

Q. The "Jennifer, I'm so sorry e-mail," do you see that?

A. Uh-huh. Yes.

Q. And does the next e-mail up show your response to Ms. Cameron of her inquiry?

A. Yes.

Q. And you wrote those words?

A. I believe so.

Q. And you opened up the images and noted that the byline was to Lisandro Suero rather than Daniel Morel, correct?

A. Yes.

Q. And you were asking whether in light of that should they still be pulled?

A. That is correct.

Q. And at that point did you compare the ones that had -- the images that had the byline Lisandro Suero with the images that had the byline Daniel Morel?

Eisenberg
A. I don't recall.
Q. If you look up to the next e-mail, Ms. Cameron writes to you and Ms. Walker of Corbis later that same day. Do you see that?

A. Yes.

Q. 6:09 p.m. And she asks whether Mr. Morel believes that those are his images. Do you see that?

A. I do.

Q. And if you look at the next page that is actually the previous page, 515, Ms. Walker confirms "Yes, they are Daniel Morel's images. We believe they were stolen by a Twitter user by the name of Lisandro Suero." Do you see that?

A. I do.

Q. She also asks, "Please confirm when they have been removed." Do you see that?

A. I do.

Q. And you remember reading that at the time?

A. Again, I don't specifically remember reading the specific e-mail, but I have no reason to believe that I wouldn't have.

Q. And if you look up at the next e-mail

1 Eisenberg
 2 in chronology, which is at the top of that page,
 3 it's from Ms. Cameron to you and Ms. Walker with
 4 Mr. Bernasconi cc'd, directing you to pull the
 5 images tonight. Do you see that?
 6 A. I do.
 7 Q. And what did you understand you were
 8 being asked to do?
 9 A. To remove the specific list of images
 10 that Heather had provided in the previous e-mail and
 11 confirm as being correct, despite the data on the
 12 images being somewhat different than what was
 13 originally requested.
 14 Q. And when you say somewhat different,
 15 you mean it had Lisandro Suero's name as opposed to
 16 Daniel Morel's, correct?
 17 A. Yes. The original pull request was
 18 for specific images from Daniel Morel. I had noted
 19 that those specific images did not in fact have
 20 Daniel Morel's name and, therefore, had to verify
 21 that this was indeed the correct images to pull.
 22 Q. Yes.
 23 A. Once that was verified, I would have
 24 removed them.
 25 Q. Now, subsequent to being -- that

1 Eisenberg
 2 you're being told that yes, these are images that
 3 belong to Daniel Morel but they were stolen by
 4 Lisandro Suero, did anyone tell you in connection
 5 with removing images --
 6 Strike that. Let me ask first: Did
 7 you remove the images that night from the website?
 8 A. I believe so. I don't know exactly
 9 when I did so.
 10 Q. And they would be metadata that would
 11 show that removal; is that correct?
 12 A. Yes.
 13 Q. And where would the metadata be?
 14 A. In TEAMS.
 15 Q. Now, you didn't remove the images
 16 from TEAMS, though, did you?
 17 A. No. When you pull an image, you set
 18 a field that's called "Editorial ready to publish"
 19 to "No." That field controls whether we want the
 20 image to publish to the customer-facing website or
 21 not. When we pull an image, we would set that to
 22 "No."
 23 Q. And that's what you believe you did
 24 in connection with the images that had been stolen
 25 by Lisandro Suero?

1 Eisenberg
 2 A. I believe that's what I did with the
 3 12 images that Heather had requested in her e-mail.
 4 Q. Okay. Now, following the notice to
 5 you and Getty Images about the Lisandro Suero
 6 misnomer -- strike that.
 7 Following February 2, 2010 did anyone
 8 at Getty Images say to you, "Look, these images have
 9 two different names, Lisandro Suero, Daniel Morel.
 10 Please check our website to see if there are any
 11 other designations of the same images that we should
 12 consider and take down those images"? Did anybody
 13 tell you that, in words or substance?
 14 A. I don't recall. That was two years
 15 ago.
 16 Q. You don't remember anybody saying
 17 that to you, though?
 18 A. Not specifically, no.
 19 Q. And do you remember thinking yourself
 20 that there may very well be still be images from
 21 January 12, 2010 that perhaps are only listed as AFP
 22 as the photographer and that you or someone at Getty
 23 Images should check to see if there were any
 24 lingering images that fell in that category? Did
 25 you or not?

1 Eisenberg
 2 A. Sorry. Did I what?
 3 Q. Did you think to yourself, "There may
 4 be other duplicate images under different names and
 5 we should check to see that those are pulled as well
 6 off our website"?
 7 A. I may have. Again, two years ago. I
 8 don't remember exactly.
 9 Q. Okay. All I can do is ask you what
 10 you remember.
 11 Do you remember doing that, looking
 12 on the website February 2, 2010 to see if there were
 13 any other images that looked like the Lisandro Suero
 14 images or those properly designated at least in part
 15 to Daniel Morel, whether there were others that
 16 should be pulled off the website?
 17 A. I don't specifically recall doing
 18 that.
 19 Q. Do you recall doing that ever, like
 20 from February 2 to today?
 21 A. Not specifically.
 22 Q. And did anybody ever tell you they
 23 did that? That is, look on the website to see if
 24 there were other images after you removed the
 25 Lisandro Suero images from the Getty website to

Page 98	Page 100
<p>1 Eisenberg</p> <p>2 determine whether under a different name there were</p> <p>3 more Daniel Morel images still on the website.</p> <p>4 A. I'm sorry. That's a very long</p> <p>5 sentence.</p> <p>6 Q. Yes, it was. Why don't we do this.</p> <p>7 Let's -- let me try it one more time.</p> <p>8 Did anybody tell you that after</p> <p>9 February 2, 2010 they went on the Getty website to</p> <p>10 see if there were other images just like the Daniel</p> <p>11 Morel and Lisandro Suero images that were under</p> <p>12 someone else's name to determine whether they should</p> <p>13 be pulled from the Getty website?</p> <p>14 A. I don't specifically remember anybody</p> <p>15 telling me so. That's not to say that somebody did</p> <p>16 or didn't.</p> <p>17 Q. But you have no recollection that</p> <p>18 somebody came to you and said that?</p> <p>19 A. Not specifically. Again, they may</p> <p>20 have and I may not recall.</p> <p>21 Q. And you don't remember actually doing</p> <p>22 that yourself?</p> <p>23 A. I may have. It's something I might</p> <p>24 do as part of an investigation. You know, I worked</p> <p>25 on a lot of other things at the time.</p>	<p>1 Eisenberg</p> <p>2 THE VIDEOGRAPHER: This concludes</p> <p>3 tape number 3. The time is 12:25 p.m.</p> <p>4 (Luncheon recess taken at 12:25 p.m.)</p> <p>5 --o0o--</p> <p>6 A F T E R N O O N S E S S I O N</p> <p>7 (Time noted: 1:48 p.m.)</p> <p>8 THE VIDEOGRAPHER: This begins tape</p> <p>9 number 4. The time is 1:48 p.m. and we're</p> <p>10 back on the record.</p> <p>11 C H R I S T I A N E E I S E N B E R G, resumed</p> <p>12 and testified as follows:</p> <p>13 CONTINUED EXAMINATION</p> <p>14 BY MR. BAIO:</p> <p>15 Q. Ms. Eisenberg, you know that you are</p> <p>16 still under oath, correct?</p> <p>17 A. Yes.</p> <p>18 Q. If you actually look at the Page 514</p> <p>19 which is the e-mail in Exhibit 2 that is the</p> <p>20 immediately preceding page to those that you</p> <p>21 received, you will see at Bates No. 514 there is an</p> <p>22 e-mail from Jennifer Walker to Heather Cameron and</p> <p>23 it states, "As a result of the images remaining on</p> <p>24 your site for so long, we believe there may have</p> <p>25 been an incredible amount of licensing by these</p>
Page 99	Page 101
<p>1 Eisenberg</p> <p>2 Q. All I can ask you is what you</p> <p>3 remember. And do you remember doing that?</p> <p>4 A. I don't remember if I specifically</p> <p>5 did that.</p> <p>6 MR. BAIO: All right, let's take a</p> <p>7 lunch break. And I can go a little bit</p> <p>8 longer, but I'm actually doing something</p> <p>9 in the lunch break, not eating, and we</p> <p>10 have to come back at 1:45. Should I go</p> <p>11 just a few more minutes or should we break</p> <p>12 now?</p> <p>13 MS. HOFFMAN: We have to start the</p> <p>14 other thing at 2:30.</p> <p>15 MR. BAIO: We certainly will, with</p> <p>16 rhythmic regularity.</p> <p>17 MR. ROSENFELD: It's up to you. As</p> <p>18 long as we have time to get lunch.</p> <p>19 MR. BAIO: Okay. Let's break now</p> <p>20 and we will come back. We will start at</p> <p>21 1:45 promptly, if we can. Okay?</p> <p>22 THE WITNESS: Okay.</p> <p>23 MR. KAUFMAN: So an hour and</p> <p>24 fifteen minutes.</p> <p>25 MR. BAIO: Yes.</p>	<p>1 Eisenberg</p> <p>2 images by Getty/AFP."</p> <p>3 Do you see that language?</p> <p>4 A. I see that language.</p> <p>5 Q. I don't have an e-mail showing that</p> <p>6 you received it, but I'm going to ask you if you did</p> <p>7 receive that e-mail, if you can remember receiving</p> <p>8 the e-mail that was sent from Ms. Walker to</p> <p>9 Ms. Cameron.</p> <p>10 A. I don't remember seeing that e-mail.</p> <p>11 Q. And do you remember learning that</p> <p>12 Corbis was insisting that additional steps be taken</p> <p>13 in connection with the Getty website following your</p> <p>14 removal of the images by -- that were entitled</p> <p>15 "Lisandro Suero"?</p> <p>16 A. I don't recall any communication from</p> <p>17 Corbis that I was directly involved.</p> <p>18 Q. Do you recall learning that there</p> <p>19 were ongoing complaints after you removed the</p> <p>20 Lisandro Suero designated images from Getty's</p> <p>21 website?</p> <p>22 A. I don't recall the exact sequence in</p> <p>23 which things happened. I remember that it was -- I</p> <p>24 helped people look at it for just more than a single</p> <p>25 time.</p>

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1 Eisenberg
2 Q. And about how long did you continue
3 working on the matter, if you can recall?
4 A. I don't recall.
5 Q. Was it more than a week?
6 A. I don't recall. I work on many
7 different projects concurrently.
8 Q. Sure.
9 What do you remember, the last thing
10 that you did on those Daniel Morel issues?
11 A. I don't recall what the last thing
12 would have been.
13 Q. I'm going to ask you to look at what
14 we have marked as Exhibit 3, which is a multi-page
15 document, e-mail chain identified as G002803 to 821.
16 Most of it is redacted but there is some text that I
17 would like to ask you about.
18 A. Okay. Are we done with the previous
19 one?
20 Q. Yes. You can put that one away. I'm
21 sorry. That's Exhibit 3.
22 MR. BAI0: Here are two of them.
23 Q. Although it's many Bates numbers, I
24 think you will see that the only text that we have
25 appears on the first page. Do you see that?

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1 Eisenberg
2 A. Yes.
3 Q. And do you see that it appears that
4 on March 9th at 11:20 on 2010 you wrote an e-mail
5 that appears at the second half of this first page
6 to Mr. Bernasconi. Do you see that?
7 A. I do.
8 Q. And did you write that e-mail and
9 send it to him at or about the date it bears?
10 A. I believe so.
11 Q. So the last communication that we had
12 seen at least in writing for you was I think on
13 February 2nd.
14 MS. HOFFMAN: February 2nd.
15 Q. And from February 2nd to March 9th,
16 looking at this e-mail, does it refresh your
17 recollection as to anything that you did with
18 respect to the Daniel Morel issues at Getty Images?
19 A. Not specifically.
20 Q. And this can't really help you
21 because there is not a lot of words that you can
22 read other than what you wrote yourself. You wrote,
23 "BTW, what is our workflow for removing images from
24 our site when AFP send us a mandatory kill notice?
25 Are AFP responsible for doing so themselves?"

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1 Eisenberg
2 Do you see that?
3 A. I do.
4 Q. What made you ask that question?
5 A. Most likely I had come across an AFP
6 kill notice in our systems that published to the
7 website. And the workflow for dealing both with a
8 mandatory kill and the images that relate to them is
9 not in my remit, so I wanted to most likely make
10 Pancho aware that there were some mandatory kill
11 assets on the website.
12 Q. And what was it that you saw on the
13 website that led you to write this e-mail to
14 Mr. Bernasconi?
15 A. AFP sent out mandatory kill notices
16 when necessary, as we discussed earlier, to alert
17 clients to assets that should not have been sent out
18 when it was later discovered.
19 Typically those come across the feed
20 and they shouldn't go into the system; they should
21 only go in to customers. That's one of the assets
22 that would only go in the feed but not into TEAMS.
23 And it's an advisory type file that simply has -- it
24 has a very small thumbnail of the image with
25 language saying "mandatory kill" and other

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1 Eisenberg
2 information so that people can find the image it
3 refers to.
4 It's not the image itself. It's a
5 very small copy of it for reference.
6 Those files are not supposed to be on
7 the website. Sometimes they go through. Since it's
8 not the image itself, there is no harm. There is
9 nothing anybody can use, but they're not files that
10 are supposed to be on the website so we would want
11 to remove them from the website simply for better
12 customer experience.
13 Q. So what you saw that led you to send
14 this e-mail to Mr. Bernasconi was a thumbnail image?
15 Not one that could be used, but a thumbnail image
16 with a mandatory kill notice attached to that image
17 or those images?
18 A. It's actually an image where the
19 image itself contains part of the thumbnail as well
20 as a visual representation that says mandatory kill.
21 Q. The words "mandatory kill" appear?
22 A. I believe so.
23 Q. And did they appear over the image or
24 as a caption or below the image? If you know.
25 A. I don't remember the exact layout.

27 (Pages 102 to 105)

Page 106

1 Eisenberg
 2 It's part of the image.
 3 Q. But you having seen the image as a
 4 thumbnail and the mandatory kill notice on Getty's
 5 website was unusual for you? That is, you hadn't
 6 seen that before?
 7 A. This particular asset?
 8 Q. No. As a matter of procedure, were
 9 you surprised to see on Getty's website a thumbnail
 10 sketch with the phrase "mandatory kill" connected to
 11 the thumbnail?
 12 A. Yes.
 13 Q. Okay. Because you hadn't seen that
 14 before.
 15 A. No.
 16 Q. No, you hadn't seen that before?
 17 A. You first asked me if I was
 18 surprised. Yes, I was surprised.
 19 Q. Yes, yes.
 20 A. I have seen that before, once or
 21 twice.
 22 Q. I see.
 23 And did you believe, the once or
 24 twice that you saw it before the mandatory kill that
 25 you are describing here, that it was done in error?

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1 Eisenberg
 2 A. I don't understand the question.
 3 Q. Okay. I won't ask it.
 4 Did you think that -- what was the
 5 image that you were talking about?
 6 A. I don't recall.
 7 Q. Were they Morel images?
 8 A. I don't recall exactly, but I don't
 9 believe so.
 10 Q. The "re" is AFP/Morel. Do you see
 11 that? That is the "re" in the e-mail that you sent
 12 to Mr. Bernasconi.
 13 A. Yes.
 14 Q. Does that suggest to you that this
 15 had anything to do with Morel, any Morel images?
 16 A. No.
 17 Q. It doesn't?
 18 A. No.
 19 Q. You then state, "We currently have 32
 20 AFP images with 'mandatory kill' in the caption on
 21 the website." Do you see that?
 22 A. I do.
 23 Q. And what were those images?
 24 A. I don't recall what they were.
 25 Q. Were any of them Morel images?

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1 Eisenberg
 2 A. I don't recall that. I don't
 3 remember exactly what they were. That is most
 4 likely what is redacted.
 5 Q. Okay. I'm sorry.
 6 A. Just to clarify, we would receive
 7 them from AFP whenever there is one sent out over
 8 time. So these may have been from a much longer
 9 period.
 10 Q. When you say whenever there is one,
 11 you mean a mandatory kill?
 12 A. Yes.
 13 Q. How many mandatory kills were there
 14 that you can recall by AFP of images that appeared
 15 on Getty's website during the first six months of
 16 2010?
 17 A. I have no idea.
 18 Q. Were there many that you had seen?
 19 A. I don't know. I would not typically
 20 go looking for them.
 21 Q. You then went on in your e-mail to
 22 say, "And when I spot checked the original image for
 23 at least one of those is still on our website."
 24 Do you see that?
 25 A. I do.

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1 Eisenberg
 2 Q. What were you referring to there?
 3 A. That was referring to the fact that
 4 for one of the mandatory kill notices, the image it
 5 was sent to kill was still published.
 6 Q. And that's not only the thumbnail but
 7 the actual image; is that correct?
 8 A. That is correct.
 9 Q. And did you determine what image that
 10 was that had not been killed despite the mandatory
 11 kill notice?
 12 A. I don't remember.
 13 Q. Was it a Morel image?
 14 A. I don't recall exactly. I don't
 15 believe so, but I don't remember.
 16 Q. Was it an image attributable to
 17 Mr. Lisandro Suero?
 18 A. I don't recall what the images were.
 19 Q. But the image number appears in the
 20 parentheses. That is, the original image number is
 21 88979394. Is that correct?
 22 A. Oh, yes, that is -- that would be the
 23 image number, yes.
 24 Q. And that's an image that you could
 25 retrieve if you wanted to, correct?

28 (Pages 106 to 109)

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Eisenberg

Q. And when Mr. Gebhard told you they usually take appropriate action, did you understand that by that he meant the London Getty desk would remove the images pursuant to the kill notice that it received from AFP?

A. I was not sure what exactly he meant by "appropriate action" but since that is not my department I did not ask specifically about that.

Q. He does state they do not push back to AFP. Does that lead you to believe that at the time you understood that the London desk would take care of the matter itself and would not go or revert to AFP to carry out the kill notice?

A. I take it to mean that the typical behavior would be to do that.

Q. "To do that" would be the London desk itself would remove the images from TEAMS?

A. If that was what the appropriate action was deemed to be for those images.

Q. And your understanding was they didn't rely on AFP to do that; is that correct?

A. Not typically.

Q. Not typically. They wouldn't typically go back to AFP?

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Eisenberg

A. That is my understanding of what Andreas is saying.

Q. Did anyone ever tell you that that was inaccurate? That is, Andreas' statement.

A. Not that I recall.

Q. He then goes on to report to you, "NYC tends to do that, but if it seems important, we would rather do it ourselves than waste time in a discussion."

Do you see that?

A. I do.

Q. And what did you understand from that sentence?

A. I understand Andreas to say that the New York desk would typically refer these requests to AFP but may do the work themselves if that is deemed the better course of action.

Q. Well, the words he used were "if it seems important"; isn't that correct?

A. That's what he says right there.

Q. And if it seems important --

And he, by the way, was on the New York desk. Right?

A. Yes.

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Eisenberg

Q. So he's talking about his own behavior and the behavior of people under his direct supervision.

A. His department, yes.

Q. And he was saying to you, "If it seems important we will carry out the kill notice ourselves rather than waste time in a discussion"? Is that your understanding of what he was saying to you?

A. That's what he is saying right there.

Q. So that --

He then concludes, "In the end: Inconsistent." That is, did you understand him to say, "There is no consistent pattern in our workflow on this issue"?

A. That is correct.

Q. He then states, "We should discuss standardizing on one or the other. Probably useful for the greater image partner discussion, too." Do you see that?

A. I do.

Q. Have you since the date of this e-mail, March of 2010, participated in discussions standardizing the workflow in the situation

Page 121

Eisenberg

discussed here?

A. I don't recall. It is possible it has come up in conversation.

Q. So far as you know today, is there a definitive workflow for addressing mandatory kills from AFP with respect to images that appear on Getty Images' website?

A. That's the workflow that's not in my area of expertise. I am not aware if that is or isn't the case.

Q. If you look on the Page 2919, it's from you to Andreas Gebhard with further discussion on this point. Do you see that?

A. I do.

Q. You state to him, "That's exactly what I was thinking." Do you see that?

A. I do.

Q. What did you mean?

A. I agreed with his statement that we should discuss standardizing the workflow.

Q. You then state, "We should perhaps find out from Legal what our obligation is for partner content where they send us a notice to kill it ..." Do you see that?

31 (Pages 118 to 121)

Page 122

1 Eisenberg
2 A. I do.
3 Q. Did you follow up on that task?
4 A. I don't recall.
5 Q. Do you know if he did?
6 A. I do not know that.
7 Q. Going to the pages with the Bates
8 numbers 2907 to 2908 in that same Exhibit 4, you
9 will see that the --
10 A. May I?
11 Q. Yes, please. I will help guide you,
12 but take whatever time you need.
13 Two of the e-mails are what we just
14 discussed and they appear on 2907 and 2908. The
15 bottom of 2908, at least in terms of text, is an
16 e-mail that did not exist in the earlier exchange
17 that I asked you about.
18 A. Okay.
19 Q. You will see that before your
20 response as to 32 AFP images with mandatory kill,
21 Mr. Bernasconi wrote to you on March 9, 2010 and
22 Ms. Cameron saying, "Not for us to send as it's not
23 our photo. The kill would have to have been sent by
24 AFP." Do you see that?
25 A. I do.

Page 123

1 Eisenberg
2 Q. And what was he referring to there to
3 you?
4 A. I don't know. I don't see the
5 initial part of that e-mail.
6 Q. Nor do we. Was he referring to
7 AFP/Morel -- strike that.
8 Was he referring to Mr. Morel's
9 photo?
10 A. I don't know that, based on this
11 e-mail.
12 Q. And when he refers to the kill, do
13 you know what that is referring to?
14 A. My assumption would be based only on
15 the sentence it says here, that he's referring to a
16 mandatory kill and what he's saying is that an image
17 sent by AFP, if the image needs to be killed, that's
18 a decision that would have been made by AFP. It's
19 not a decision that would have been up to Getty to
20 make.
21 Q. And then --
22 A. Because it's not our image.
23 Q. But you wrote to Mr. Bernasconi
24 asking "What is the workflow for removing images
25 from our site when AFP send us a mandatory kill

Page 124

1 Eisenberg
2 notice?" Correct?
3 A. That's correct.
4 Q. Notwithstanding what he said to you,
5 you asked that question.
6 A. I did.
7 Q. And the answer that you received was
8 from Mr. Gebhard, correct?
9 A. Correct.
10 Q. And you saw earlier that
11 Mr. Bernasconi asked Mr. Gebhard to respond to you,
12 correct?
13 A. Yes.
14 Q. And I would like you to look at the
15 page with the Bates numbers in Exhibit 4, G002864.
16 A. Can you give me that number again?
17 Q. Yes, 2864. It's also got a little --
18 it's near the front. It has a little page number 6
19 on it as well.
20 A. Oh, okay.
21 Q. First of all, have you seen either of
22 these two e-mails before?
23 A. I don't remember.
24 Q. Have you seen them in preparation for
25 this deposition?

Page 125

1 Eisenberg
2 A. I believe they were among the
3 documents we looked at.
4 Q. I believe this is within the 30(b)(6)
5 part of this questioning because it's about TEAMS,
6 which is the back end, but you will answer as best
7 you can.
8 The bottom e-mail from Andreas
9 Gebhard to Mr. Bernasconi states, "Hi, Pancho.
10 These are the images in TEAMS. All of them are
11 taken off the customer-facing website, i.e. cannot
12 be downloaded by clients anymore." And then there
13 is a "Daniel Morel" written, the words "Daniel
14 Morel" in all caps written on that page.
15 Do you see that?
16 A. I do.
17 Q. And do you know what Mr. Gebhard is
18 talking about there?
19 A. Specifically he appears to be talking
20 about images with those specific numbers that he
21 located in TEAMS.
22 Q. And those are AFP Morel images?
23 A. His e-mail refers to images
24 categorized under Daniel Morel and Lisandro Suero so
25 my assumption is that is what he is talking about.

32 (Pages 122 to 125)

Page 126

Eisenberg

Q. And he states that the images are in TEAMS, correct?

A. Yes, he does.

Q. So does that mean that as of March 25, 2010 neither AFP nor Getty Images removed the images from TEAMS?

A. That is correct. Because, as we said earlier, even when we removed them from being available on the website, we don't remove them from TEAMS. We don't delete the assets out of TEAMS anymore.

Q. That does confuse me because when Mr. Gebhard responded to you he said, "AFP's Washington bureau is trained and capable of removing images off of TEAMS." He didn't say off the website, he said off of TEAMS. Was he inaccurate when he said that?

A. He may have phrased it in a more colloquial way. TEAMS being our asset management system is sometimes used as just a generic term. So removing images off of TEAMS doesn't necessarily mean we're literally deleting them from the system. It typically means we move them from being available, which is done in TEAMS.

Page 127

Eisenberg

Q. I see.

But the image itself remains on TEAMS in any instance, whether Getty Images removes the image or an image from its website or AFP removes an image and in the case of what Mr. Gebhard is saying, only its Washington bureau. So it remains on TEAMS but comes off the website; is that correct?

A. Yes.

Q. So in the e-mail from Mr. Gebhard to Mr. Bernasconi when he says these are the images in TEAMS, to you there is nothing peculiar about that, that the images that were on TEAMS initially would always stay on TEAMS?

A. Yes.

Q. And he then goes on to state they were taken off the customer-facing website. Do you see that?

A. I do.

Q. And that was your understanding of what the state of affairs was as to the Morel images as of March 25, 2010?

A. Based on his e-mail there, yes.

Q. Now he writes in the next e-mail to Mr. Bernasconi, and maybe it's the same e-mail --

Page 128

Eisenberg

A. I believe the section below there is exactly the section above, just a short version of it, because the date is exactly the same and the wording is exactly the same.

Q. I see.

So you believe the e-mail that appears at the bottom of Page 2864, if it continued on the next page it would have the language under "Daniel Morel" for the e-mail that's above it?

A. It appears to me that that is an exact replica of the item above it, yes.

Q. He states, that is Mr. Gebhard, in that March 25, 2010 e-mail, "I found no AFP kill notice in TEAMS, which is consistent with standard operating procedures." What does that mean?

A. He explains in the sentence below that kill notices are only sent out over the feeds by AFP, meaning that they are not sent to Getty to go to TEAMS. That relates to what I explained earlier about those not typically going to TEAMS, but sometimes that doesn't work and they do make it through.

Q. So that the kill notices in this case were only sent out over the feeds by AFP and not

Page 129

Eisenberg

through some other means?

A. I take it to say that the kill notice was sent out over the feeds and not sent to TEAMS.

MR. BAIO: I just want to take a minute or two to see if I have anything else.

THE WITNESS: May I get some water?

MR. BAIO: Yes, you may.

Let's go off the record.

THE VIDEOGRAPHER: The time is 2:27 p.m. and we are off the record.

(Recess taken.)

THE VIDEOGRAPHER: The time is 2:30 p.m. and we are back on the record.

Q. Ms. Eisenberg, you wanted to clarify something that you had testified about earlier. Please go ahead.

A. Yes.

When you asked specifically if there was ever any direct communication I may have initiated with anybody at AFP directly for any matter at all, I do recall that very occasionally I have had direct contact with Eva Hambach at AFP to request a specific image for a client, for example.

33 (Pages 126 to 129)

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

AGENCE FRANCE PRESSE,

Plaintiff,

v.

DANIEL MOREL,

Defendant and
Counterclaim Plaintiff

v.

AGENCE FRANCE PRESSE,

Counterclaim Defendant,

And

GETTY IMAGES (US), INC., CBS
BROADCASTING, INC., ABC, INC., TURNER
BROADCASTING, INC. and (AFP and Getty
Licensees does 1 - et. al).

Third Party Counterclaim
Defendants

Case No. 10-cv-2730 (WHP)

ECF Case

ACKNOWLEDGMENT

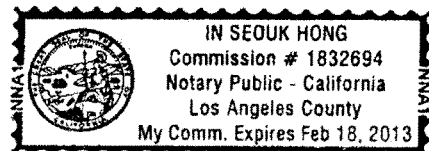
I, CHRISTIANE EISENBERG, hereby certify that I have read the transcript of my testimony taken under oath in my deposition of September 14, 2011; that the transcript is a true, complete and correct record of my testimony, except for the corrections, if any, noted in the attached errata sheet, and that the answers on the record as given by me are otherwise true and correct.

CHRISTIANE EISENBERG

Sworn and subscribed to before me
this 11th day of October, 2011.

Notary Public, State of New York

California



Chris Eisenberg Deposition Corrections

Wednesday, September 14, 2011:

Page 8, line 5: should be "Allsport Photography" instead of "All Sport Photography"

Page 8, line 10: should be "Allsport Photography" instead of "All Sport Photography"

Page 9, line 9: should be "Allsport Photography" instead of "All Sport Photography"

Page 10, line 4: should be "Allsport Photography" instead of "All Sport Photography"

Page 13, line 14: should be "data management of editorial stills" instead of "data management or editorial stills"

Page 22, line 6: should be "or of certain types" instead of "or off of certain types"

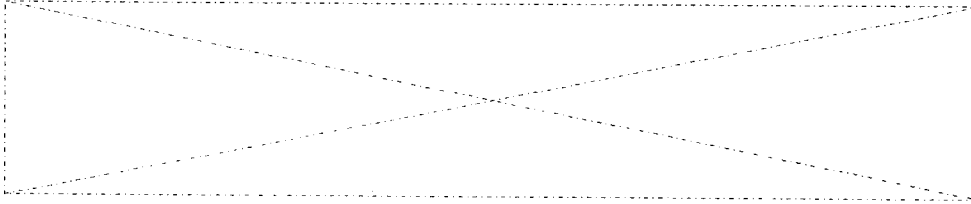
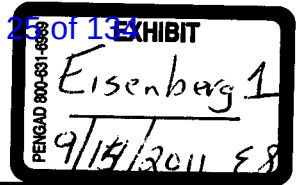
Page 41, line 19: should be "supp category" instead of "subcategory"

Page 55, line 24: should be "my workflow" instead of "a workflow"

Page 95, line 18: should be "Editorial ready for sale" instead of "Editorial ready to publish"

Page 104, line 15: should be "AFP send out" instead of "AFP sent out"

Page 131, line 9: should be "controlled vocabulary" instead of "control vocabulary"



Redacted

From: Heather Cameron
To: Chris Eisenberg; Lisa Willmer
Cc: Pancho Bernasconi; Nancy Monson
Sent: Tue Feb 02 17:42:16 2010
Subject: FW: Daniel Morel Haiti Images

Chris, I'm not sure why we didn't capture all of them at the same time, so I've attached an email that includes a list of images pulled by Preston on the 13th as well as the kill notice we received on the 14th.
Is there any chance these 12 were delayed on the upload process or something so they appeared live on the site after Preston's pull? Very odd.

Lisa, looks like we missed some images the first time around. Bummer.

From: Heather Cameron
Sent: Tuesday, February 02, 2010 5:32 PM
To: 'Jennifer Walker'; Chris Eisenberg
Cc: Pancho Bernasconi
Subject: RE: Daniel Morel Haiti Images

Jennifer, I'm so sorry – I'm not sure what happened – I thought all of them were pulled from our site when you contacted us on the 13th. We'll get these additional 12 down asap. If you haven't heard back from Vincent, you can try contacting Eva Hambach – she confirmed she received our email on the 13th alerting her to the issue.

Chris, would you please make sure the images below are removed from the site immediately? If you could please reply back to all of us when they are down, that would be terrific. Thanks.

95737370
95737394
95737403
95734704
95734818
95734844
95734865
95734878
95734885
95734896
95737398
95740695

Heather Cameron
Senior Paralegal

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206.925.5623 Facsimile
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From: Jennifer Walker [mailto:Jennifer.Walker@corbis.com]
Sent: Tuesday, February 02, 2010 5:07 PM
To: Heather Cameron
Subject: FW: Daniel Morel Haiti Images

Hi Heather,

I have just been notified that Getty still has not removed the Daniel Morel images from its website. Please see the below link...

<http://www.gettyimages.com/Search/Search.aspx?contractUrl=2&language=en-US&family=editorial&assetType=image&p=lisandro%20suerro%20haiti#>

I have sent a note to Vincent Amalvy at AFP with no response. Would you mind sharing the name of the person you mention below, in the D.C. office?

Sincerely,

Jennifer Walker
Intellectual Property Enforcement Specialist

Corbis
<http://www.corbis.com>

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From: Heather Cameron [mailto:heather.cameron@gettyimages.com]
Sent: Wednesday, January 13, 2010 2:53 PM
To: Claire Keeley
Cc: Corbis Copyright Compliance; Pancho Bernasconi; Lisa Willmer
Subject: RE: Daniel Morel Haiti Images

Claire, thank you for letting us know. Our picture desk in New York has already removed the content at issue from our website, all of which came to us via our relationship with AFP. Getty Images has no editorial control over the content posted to our website via AFP. Have you already been in touch with AFP by chance? If not, I can provide you with contact information for someone in their D.C. office (the same person to whom we will forward your email below).

Kind regards,

Heather Cameron
Senior Paralegal

Getty Images, Inc.
601 N. 34th Street
Seattle, WA 98103
206.925.6424 Direct
206.925.5623 Facsimile
heather.cameron@gettyimages.com

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From: Claire Keeley [mailto:claire.keeley@corbis.com]
Sent: Wednesday, January 13, 2010 1:37 PM
To: Heather Cameron
Cc: Corbis Copyright Compliance
Subject: Daniel Morel Haiti Images
Importance: High

Heather,

We have a serious problem that I am hoping you can help me resolve. Today, one of Corbis' editorial photographers uploaded some of his pictures from the earthquake in Haiti and put them on his Twitter page. It appears that they were then illegally copied and distributed to third parties, including Getty. One such example is on the home page of the New York Times website - Daniel's picture is the 14th one and it is credited as "Daniel Morel/AFP-Getty

Images." Daniel is exclusive to Corbis and is terribly dismayed by third parties distributing his works. Assuming you aren't the right person to help me, can you please put me in touch with the right person at Getty to see what we can do to halt this distribution? We will be issuing DMCA notices today but I thought that this approach might bear more fruit. Thanks in advance!

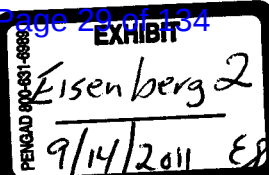
Regards,
Claire

Claire L. Keeley
Senior Corporate Counsel

Corbis
<http://www.corbis.com>

710 Second Ave., Suite 200
Seattle, WA 98104
Main: 206.373.6000
Direct: 206.373.6293
Mobile: 206.972.0303
Fax: 206.373.6100
Email: claire.keeley@corbis.com

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Thank you.



De : Michel SCOTTO
Envoyé : jeudi 18 février 2010 18:56
À : Marielle EUDES
Objet : RE: Daniel Morel Haiti Images

Je ne vois plus rien sur le site de Getty.

Michel SCOTTO
Director Photo Business Development
AGENCE FRANCE-PRESSE
11,13, place de la Bourse
75002 PARIS
Tel: (33) 140418145
Mobile: (33) 685811527
<http://www.afp.com>



Please consider the environment before printing this e-mail. Thank you.

De : Marielle EUDES
Envoyé : jeudi 18 février 2010 09:23
À : Michel SCOTTO
Objet : TR: Daniel Morel Haiti Images

Getty a bien tout enlevé ??

Marielle EUDES
Directrice de la Photo / Director of Photography



Agence France-Presse
11-13 pl de la Bourse 75002 Paris
Tél: (33-1) 40.41.49.63 / Fax: (33-1) 40.4149.32
marielle.eudes@afp.com

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AFP000513

privileged

From: Heather Cameron
To: Jennifer Walker
Cc: Eva HAMBACH; Pancho Bernasconi ; Nancy Monson
Sent: Wed Feb 17 19:21:28 2010
Subject: RE: Daniel Morel Haiti Images

Jennifer, the best contact for you at AFP is Eva Hambach, cc'd here. I will ask our team here to run a license history for all of the images at issue, and I'll send that information to Eva at AFP since we've referred this issue to AFP for resolution.

Heather Cameron
Senior Paralegal
Getty Images, Inc.
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Seattle, WA 98103
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206.925.5623 Facsimile
heather.cameron@gettyimages.com

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From: Jennifer Walker [mailto:Jennifer.Walker@corbis.com]
Sent: Wednesday, February 17, 2010 4:11 PM
To: Heather Cameron
Subject: RE: Daniel Morel Haiti Images

Hi Heather,

Thank you for your prompt attention to the matter regarding our exclusive photographer Daniel Morel's images uploaded onto the Getty site via AFP.

As a result of the images remaining on your site for so long, we believe there may have been an incredible amount of licensing of these images by Getty/AFP. We have found dozens of websites displaying Mr. Morel's images with the Getty/AFP credit, both naming Lisandro Suero and Daniel Morel as the photographer. This is quite concerning for our photographer as well as Corbis.

In an effort to properly credit our photographer as well as obtain licensing revenue for the use of the images, please provide copies of your licensing histories for the images. Please also advise how best we may go about requesting the same of AFP. You indicated that you could provide the email address of someone in their office, however I have yet to make contact with anyone. Would you please provide the name of an AFP rep I can work with in their DC office?

Also, what steps, if any, have been taken by Getty to remedy this situation? If Getty has licensed the images, have your clients been notified that the images are being used without proper authorization?

Thank you in advance for your assistance. I look forward to hearing back.

AFP000514

Kindly,

Jennifer Walker
Intellectual Property Enforcement Specialist

Corbis
<http://www.corbis.com>

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From: Heather Cameron [mailto:heather.cameron@gettyimages.com]
Sent: Tuesday, February 02, 2010 6:21 PM
To: Jennifer Walker; Chris Eisenberg
Cc: Pancho Bernasconi
Subject: RE: Daniel Morel Haiti Images

Thanks for the confirmation.

Chris, please do pull these tonight. Thanks so much for your quick response.

Heather Cameron
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heather.cameron@gettyimages.com

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From: Jennifer Walker [mailto:Jennifer.Walker@corbis.com]
Sent: Tuesday, February 02, 2010 6:19 PM
To: Heather Cameron
Subject: RE: Daniel Morel Haiti Images

Heather.

Yes, these are Daniel Morel's images. We believe they were stolen by a twitter user by the name of Lisandro Suero. I am not sure how or if AFP got permission to load the images, but we did find tweets from someone at AFP to Lisandro Suero wanting to discuss the images.

Please confirm when they have been removed.

Jennifer Walker
Intellectual Property Enforcement Specialist

Corbis
<http://www.corbis.com>

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AFP000515

it. Please notify us immediately and delete all copies. Thank you.

From: Heather Cameron [mailto:heather.cameron@gettyimages.com]
Sent: Tuesday, February 02, 2010 6:09 PM
To: Chris Eisenberg; Jennifer Walker
Cc: Pancho Bernasconi
Subject: RE: Daniel Morel Haiti Images

Excellent question, Chris!

Jennifer, when you open each image in the link below in the detail view page, the images are credited to another photographer, not Daniel Morel. Does Mr. Morel believe these are his images?

Heather Cameron
Senior Paralegal
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Seattle, WA 98103
206.925.6424 Direct
206.925.5623 Facsimile
heather.cameron@gettyimages.com

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From: Chris Eisenberg
Sent: Tuesday, February 02, 2010 5:43 PM
To: Heather Cameron
Subject: RE: Daniel Morel Haiti Images

These are under byline Lisandro SUERO rather than Daniel Morel – are they definitely the ones to pull?

From: Heather Cameron
Sent: Tuesday, February 02, 2010 5:32 PM
To: Jennifer Walker; Chris Eisenberg
Cc: Pancho Bernasconi
Subject: RE: Daniel Morel Haiti Images

Jennifer, I'm so sorry – I'm not sure what happened – I thought all of them were pulled from our site when you contacted us on the 13th. We'll get these additional 12 down asap. If you haven't heard back from Vincent, you can try contacting Eva Hambach – she confirmed she received our email on the 13th alerting her to the issue.

Chris, would you please make sure the images below are removed from the site immediately? If you could please reply back to all if us when they are down, that would be terrific. Thanks.

95737370
95737394
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AFP000516

95734878
95734885
95734896
95737398
95740695

Heather Cameron
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206.925.5623 Facsimile
heather.cameron@gettyimages.com

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From: Jennifer Walker [mailto:Jennifer.Walker@corbis.com]

Sent: Tuesday, February 02, 2010 5:07 PM

To: Heather Cameron

Subject: FW: Daniel Morel Haiti Images

Hi Heather,

I have just been notified that Getty still has not removed the Daniel Morel images from its website. Please see the below link...

<http://www.gettyimages.com/Search/Search.aspx?contractUrl=2&language=en-US&family=editorial&assetType=image&p=lisandro%20suero%20haiti#>

I have sent a note to Vincent Amalvy at AFP with no response. Would you mind sharing the name of the person you mention below, in the D.C. office?

Sincerely,

Jennifer Walker
Intellectual Property Enforcement Specialist

Corbis
<http://www.corbis.com>

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From: Heather Cameron [mailto:heather.cameron@gettyimages.com]

Sent: Wednesday, January 13, 2010 2:53 PM

To: Claire Keeley

Cc: Corbis Copyright Compliance; Pancho Bernasconi; Lisa Willmer

AFP000517

Subject: RE: Daniel Morel Haiti Images

Claire, thank you for letting us know. Our picture desk in New York has already removed the content at issue from our website, all of which came to us via our relationship with AFP. Getty Images has no editorial control over the content posted to our website via AFP. Have you already been in touch with AFP by chance? If not, I can provide you with contact information for someone in their D.C. office (the same person to whom we will forward your email below).

Kind regards,

Heather Cameron
Senior Paralegal

Getty Images, Inc.
601 N. 34th Street
Seattle, WA 98103
206.925.6424 Direct
206.925.5623 Facsimile
heather.cameron@gettyimages.com

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From: Claire Keeley [mailto:claire.keeley@corbis.com]
Sent: Wednesday, January 13, 2010 1:37 PM
To: Heather Cameron
Cc: Corbis Copyright Compliance
Subject: Daniel Morel Haiti Images
Importance: High

Heather,

We have a serious problem that I am hoping you can help me resolve. Today, one of Corbis' editorial photographers uploaded some of his pictures from the earthquake in Haiti and put them on his Twitter page. It appears that they were then illegally copied and distributed to third parties, including Getty. One such example is on the home page of the New York Times website - Daniel's picture is the 14th one and it is credited as "Daniel Morel/AFP-Getty Images." Daniel is exclusive to Corbis and is terribly dismayed by third parties distributing his works. Assuming you aren't the right person to help me, can you please put me in touch with the right person at Getty to see what we can do to halt this distribution? We will be issuing DMCA notices today but I thought that this approach might bear more fruit. Thanks in advance!

Regards,
Claire

Claire L. Keeley
Senior Corporate Counsel

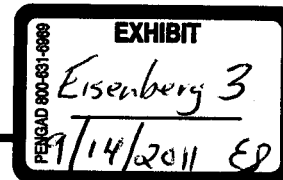
Corbis
<http://www.corbis.com>

AFP000518

710 Second Ave., Suite 200
Seattle, WA 98104
Main: 206.373.6000
Direct: 206.373.6293
Mobile: 206.972.0303
Fax: 206.373.6100
Email: claire.keeley@corbis.com

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Thank you.

AFP000519



From: Pancho Bernasconi
Sent: Tuesday, March 09, 2010 2:22 PM
To: Andreas Gebhard
Subject: Fw: AFP/Morel

Can you answer her, pls?
Pancho Bernasconi

Director of Photography
Getty Images News & Sports
917-558-1371 (Cell)
646-613-3703 (Work)
pancho.bernasconi@gettyimages.com

Sent via Blackberry

From: Chris Eisenberg
To: Pancho Bernasconi
Sent: Tue Mar 09 11:20:51 2010
Subject: RE: AFP/Morel

BTW – what is our workflow for removing images from our site when AFP send us a Mandatory Kill notice? Are AFP responsible for doing so themselves?

We currently have 32 AFP images with “Mandatory Kill” in the caption on the website, and when I spot checked, the original image for at least one of those is still on our website (88979394 – kill notices for this one are 88987244, 88987341 and 88987191)

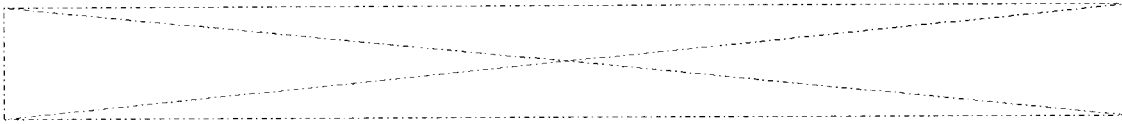
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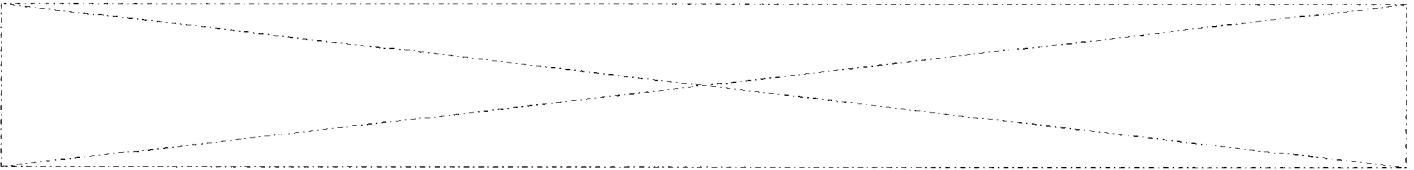
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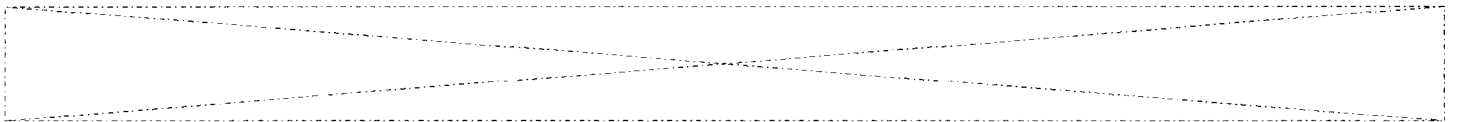
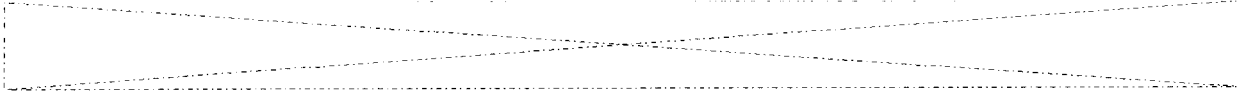
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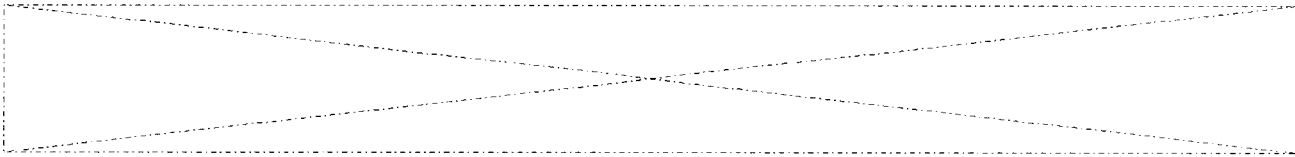
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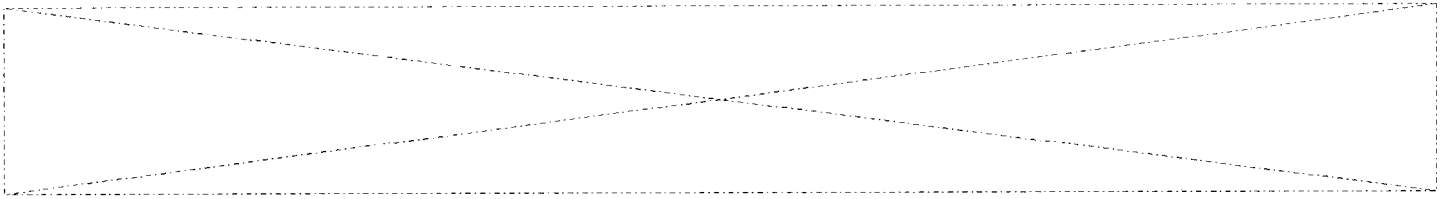
Redacted

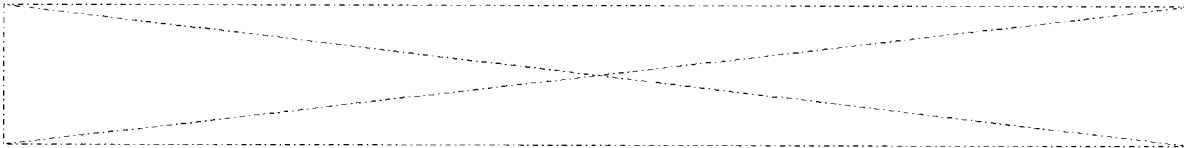
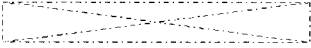


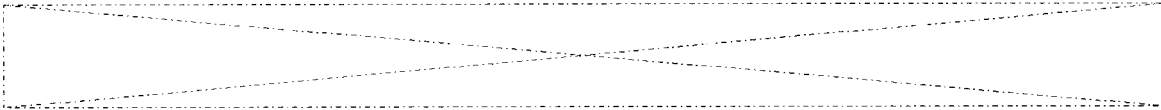


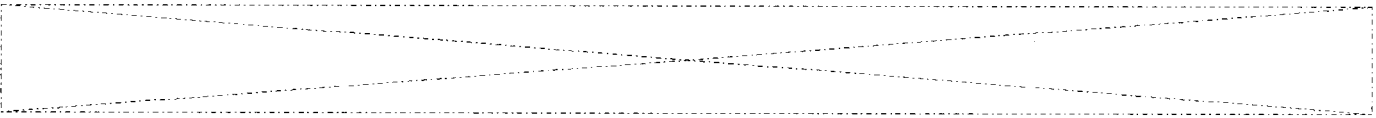


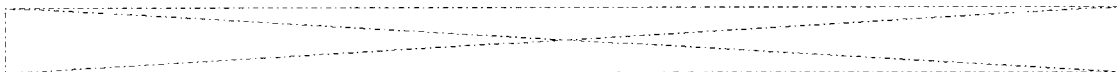
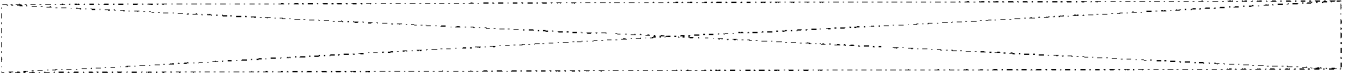


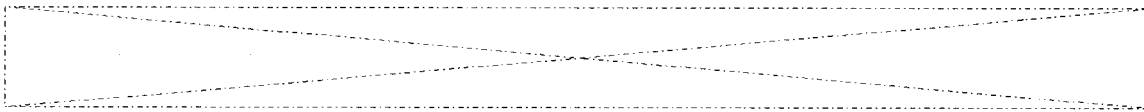


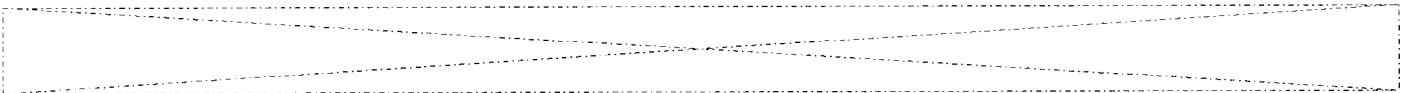
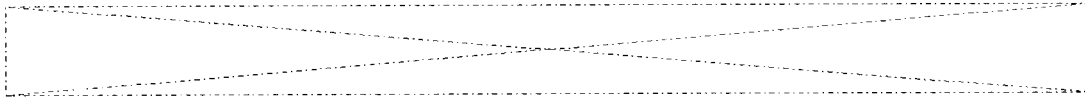
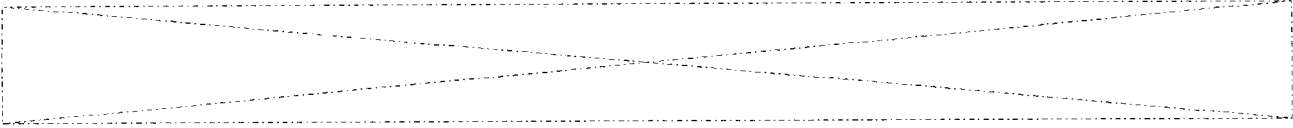


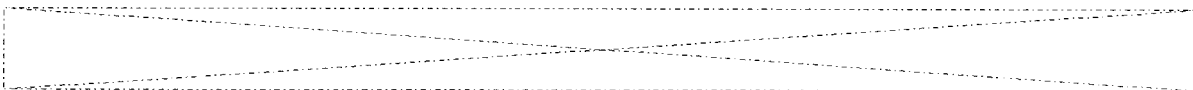
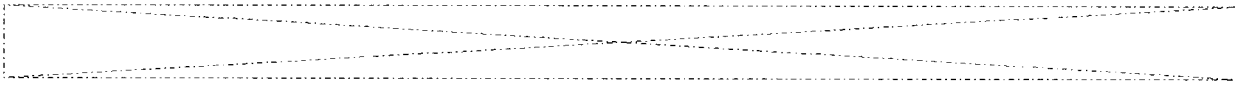


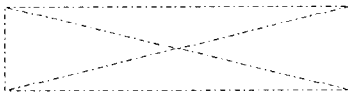
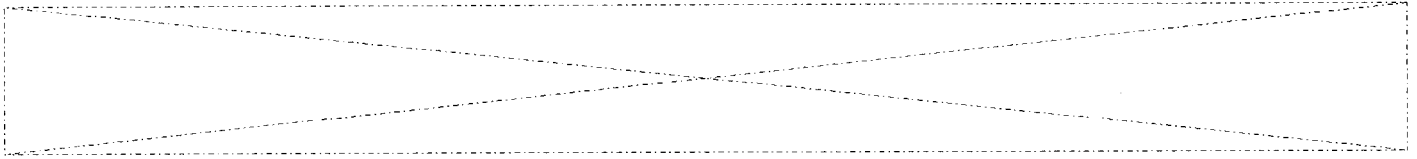


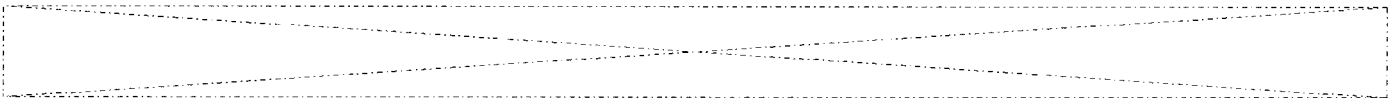
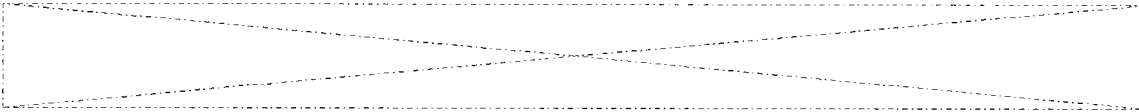
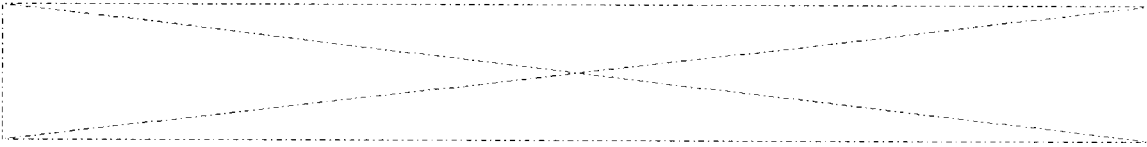


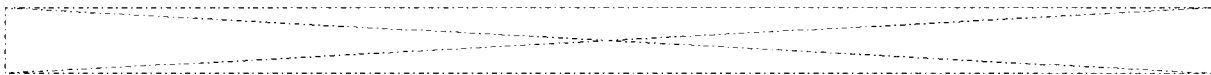
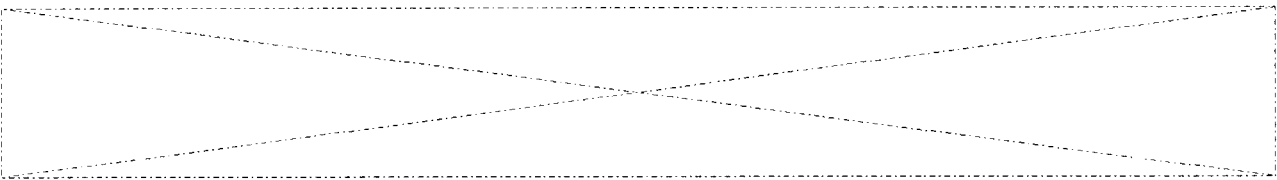
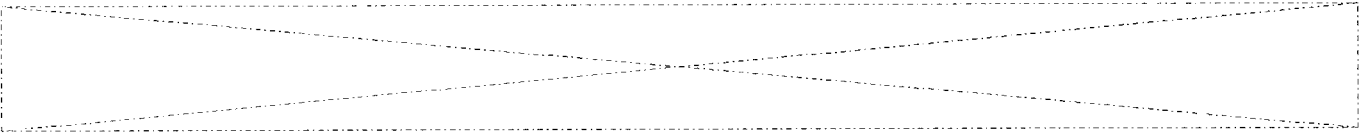


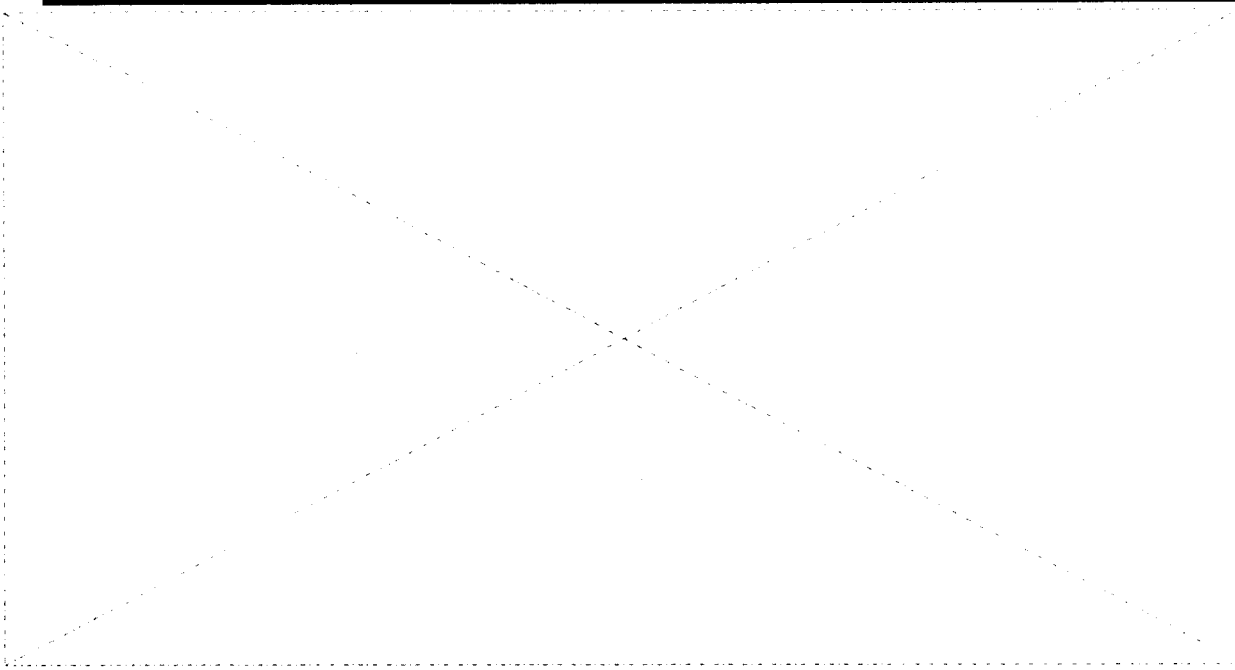
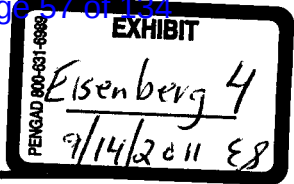






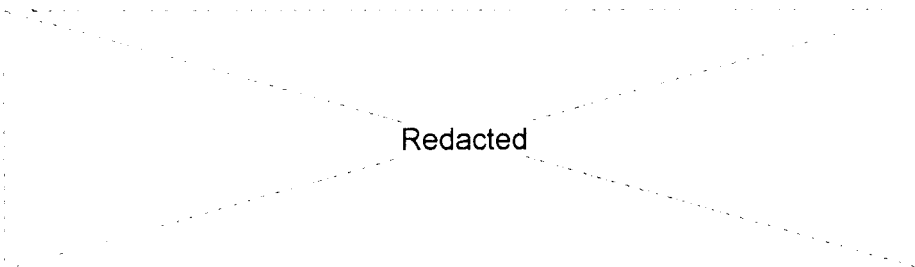






Begin forwarded message:

> From: Pancho Bernasconi <Pancho.Bernasconi@gettyimages.com>
> Date: June 8, 2010 12:38:47 EDT
> To: Andreas Gebhard <Andreas.Gebhard@gettyimages.com>
> Subject: Fw: Getty Images Lightbox: AFP earthquake imagery
>
> Fyi...
> Pancho Bernasconi
>
> Director of Photography
> Getty Images News & Sports
> 917-558-1371 (Cell)
> 646-613-3703 (Work)
> pancho.bernasconi@gettyimages.com
> _____
> Sent via Blackberry
>



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>
> From: Andreas Gebhard <Andreas.Gebhard@gettyimages.com>
> Date: March 25, 2010 10:23:15 EDT
> To: Pancho Bernasconi <Pancho.Bernasconi@gettyimages.com>
> Subject: AFP / Morel
>
>
> Hi Pancho,
>
> These are the images in TEAMS. All of them are taken off the customer facing website, i.e. cannot be downloaded by clients anymore.
>
> DANIEL MOREL
> 95739064, 95738474, 95738495, 95738590, 95740635, 95740714, 95743940, 95738439, 95738505, 95738589, 95740651, 95740640, 95740636, 95738477, 95738491, 95738554, 95740618, 95738446, 95738515, 95738581, 95740616, 95740679, 95738444, 95738464
>
> LISANDRO SUERO
> 95734885, 95737417, 95734865, 95734825, 95734898, 95737394, 95734818, 95734704, 95737403, 95734878, 95737370, 95734844, 95734896, 95737398, 95740695
>
> I found no AFP kill notice in TEAMS which is consistent with Standard Operating Procedures. Kill Notices are only sent out over the feeds (XGTY) by AFP and then the killed images are inactivated in the database.
>
> Andreas
>
>
Begin forwarded message:

> From: Andreas Gebhard <Andreas.Gebhard@gettyimages.com>
> Date: March 25, 2010 10:23:15 EDT
> To: Pancho Bernasconi <Pancho.Bernasconi@gettyimages.com>
> Subject: AFP / Morel
>
> Hi Pancho,
>
> These are the images in TEAMS. All of them are taken off the customer facing website, i.e. cannot be downloaded by clients anymore.
>
> DANIEL MOREL

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11. 12. 13. 14. 15. 16. 17. 18. 19. 20. 21. 22. 23. 24. 25. 26. 27. 28. 29. 30. 31. 32. 33. 34. 35. 36. 37. 38. 39. 40. 41. 42. 43. 44. 45. 46. 47. 48. 49. 50. 51. 52. 53. 54. 55. 56. 57. 58. 59. 60. 61. 62. 63. 64. 65. 66. 67. 68. 69. 70. 71. 72. 73. 74. 75. 76. 77. 78. 79. 80. 81. 82. 83. 84. 85. 86. 87. 88. 89. 90. 91. 92. 93. 94. 95. 96. 97. 98. 99. 100. 101. 102. 103. 104. 105. 106. 107. 108. 109. 110. 111. 112. 113. 114. 115. 116. 117. 118. 119. 120. 121. 122. 123. 124. 125. 126. 127. 128. 129. 130. 131. 132. 133. 134. 135. 136. 137. 138. 139. 140. 141. 142. 143. 144. 145. 146. 147. 148. 149. 150. 151. 152. 153. 154. 155. 156. 157. 158. 159. 160. 161. 162. 163. 164. 165. 166. 167. 168. 169. 170. 171. 172. 173. 174. 175. 176. 177. 178. 179. 180. 181. 182. 183. 184. 185. 186. 187. 188. 189. 190. 191. 192. 193. 194. 195. 196. 197. 198. 199. 200. 201. 202. 203. 204. 205. 206. 207. 208. 209. 210. 211. 212. 213. 214. 215. 216. 217. 218. 219. 220. 221. 222. 223. 224. 225. 226. 227. 228. 229. 230. 231. 232. 233. 234. 235. 236. 237. 238. 239. 240. 241. 242. 243. 244. 245. 246. 247. 248. 249. 250. 251. 252. 253. 254. 255. 256. 257. 258. 259. 260. 261. 262. 263. 264. 265. 266. 267. 268. 269. 270. 271. 272. 273. 274. 275. 276. 277. 278. 279. 280. 281. 282. 283. 284. 285. 286. 287. 288. 289. 290. 291. 292. 293. 294. 295. 296. 297. 298. 299. 300. 301. 302. 303. 304. 305. 306. 307. 308. 309. 310. 311. 312. 313. 314. 315. 316. 317. 318. 319. 320. 321. 322. 323. 324. 325. 326. 327. 328. 329. 330. 331. 332. 333. 334. 335. 336. 337. 338. 339. 340. 341. 342. 343. 344. 345. 346. 347. 348. 349. 350. 351. 352. 353. 354. 355. 356. 357. 358. 359. 360. 361. 362. 363. 364. 365. 366. 367. 368. 369. 370. 371. 372. 373. 374. 375. 376. 377. 378. 379. 380. 381. 382. 383. 384. 385. 386. 387. 388. 389. 390. 391. 392. 393. 394. 395. 396. 397. 398. 399. 400. 401. 402. 403. 404. 405. 406. 407. 408. 409. 410. 411. 412. 413. 414. 415. 416. 417. 418. 419. 420. 421. 422. 423. 424. 425. 426. 427. 428. 429. 430. 431. 432. 433. 434. 435. 436. 437. 438. 439. 440. 441. 442. 443. 444. 445. 446. 447. 448. 449. 450. 451. 452. 453. 454. 455. 456. 457. 458. 459. 460. 461. 462. 463. 464. 465. 466. 467. 468. 469. 470. 471. 472. 473. 474. 475. 476. 477. 478. 479. 480. 481. 482. 483. 484. 485. 486. 487. 488. 489. 490. 491. 492. 493. 494. 495. 496. 497. 498. 499. 500. 501. 502. 503. 504. 505. 506. 507. 508. 509. 510. 511. 512. 513. 514. 515. 516. 517. 518. 519. 520. 521. 522. 523. 524. 525. 526. 527. 528. 529. 530. 531. 532. 533. 534. 535. 536. 537. 538. 539. 540. 541. 542. 543. 544. 545. 546. 547. 548. 549. 550. 551. 552. 553. 554. 555. 556. 557. 558. 559. 560. 561. 562. 563. 564. 565. 566. 567. 568. 569. 570. 571. 572. 573. 574. 575. 576. 577. 578. 579. 580. 581. 582. 583. 584. 585. 586. 587. 588. 589. 590. 591. 592. 593. 594. 595. 596. 597. 598. 599. 600. 601. 602. 603. 604. 605. 606. 607. 608. 609. 610. 611. 612. 613. 614. 615. 616. 617. 618. 619. 620. 621. 622. 623. 624. 625. 626. 627. 628. 629. 630. 631. 632. 633. 634. 635. 636. 637. 638. 639. 640. 641. 642. 643. 644. 645. 646. 647. 648. 649. 650. 651. 652. 653. 654. 655. 656. 657. 658. 659. 660. 661. 662. 663. 664. 665. 666. 667. 668. 669. 670. 671. 672. 673. 674. 675. 676. 677. 678. 679. 680. 681. 682. 683. 684. 685. 686. 687. 688. 689. 690. 691. 692. 693. 694. 695. 696. 697. 698. 699. 700. 701. 702. 703. 704. 705. 706. 707. 708. 709. 710. 711. 712. 713. 714. 715. 716. 717. 718. 719. 720. 721. 722. 723. 724. 725. 726. 727. 728. 729. 730. 731. 732. 733. 734. 735. 736. 737. 738. 739. 740. 741. 742. 743. 744. 745. 746. 747. 748. 749. 750. 751. 752. 753. 754. 755. 756. 757. 758. 759. 760. 761. 762. 763. 764. 765. 766. 767. 768. 769. 770. 771. 772. 773. 774. 775. 776. 777. 778. 779. 780. 781. 782. 783. 784. 785. 786. 787. 788. 789. 790. 791. 792. 793. 794. 795. 796. 797. 798. 799. 800. 801. 802. 803. 804. 805. 806. 807. 808. 809. 810. 811. 812. 813. 814. 815. 816. 817. 818. 819. 820. 821. 822. 823. 824. 825. 826. 827. 828. 829. 830. 831. 832. 833. 834. 835. 836. 837. 838. 839. 840. 841. 842. 843. 844. 845. 846. 847

1. The first step in the process is to identify the problem or issue that needs to be addressed. This involves gathering information and understanding the context of the problem.

Figure 1. A schematic diagram of the experimental setup. The subject is seated in a chair, viewing a video screen. The screen displays a target (a small circle) and a starting point (a larger circle). The subject's hand is positioned at the starting point, and the video screen shows the hand's position relative to the target. The subject is instructed to move the hand to the target. The video screen is controlled by a computer, which records the hand's position and the time taken to reach the target.

| Age Group | 2006 | 2007 | 2008 |
|-----------|------|------|------|
| 18-29 | ~85 | ~88 | ~90 |
| 30-49 | ~75 | ~78 | ~80 |
| 50-69 | ~65 | ~68 | ~70 |
| 70+ | ~55 | ~58 | ~60 |

.....

[illegible]

| Level of Cognitive Complexity | Factual (%) | Interpretive (%) | Evaluative (%) | Creative (%) |
|-------------------------------|-------------|------------------|----------------|--------------|
| 1 | 95 | 5 | 10 | 10 |
| 2 | 85 | 10 | 15 | 15 |
| 3 | 75 | 15 | 20 | 20 |
| 4 | 65 | 25 | 30 | 30 |
| 5 | 10 | 45 | 40 | 45 |

.....

> From: Pancho Bernasconi <Pancho.Bernasconi@gettyimages.com>
> Date: March 9, 2010 14:22:28 EST
> To: Andreas Gebhard <Andreas.Gebhard@gettyimages.com>
> Subject: Fw: AFP/Morel

> Sent via Blackberry

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Redacted

G002887

Redacted

[illegible][illegible]

| Condition | Control (%) | MCI (%) | AD (%) |
|-----------|-------------|---------|--------|
| A | 95 | 90 | 85 |
| B | 90 | 90 | 85 |
| C | 88 | 95 | 90 |
| D | 85 | 85 | 80 |

[illegible]

1. The first step in the process is to identify the problem or issue that needs to be addressed. This involves gathering information and understanding the context of the problem.

[illegible]

✓ *

1. The first step in the process is to identify the problem or issue that needs to be addressed. This involves gathering information and understanding the context of the problem.

\mathcal{H}^1

> `plot(1:n, 1:n)` is a `plot` function call with two arguments, `1:n` and `1:n`.
 > The first argument is the x-axis values, and the second argument is the y-axis values.
 > The plot function will create a plot with the x-axis values ranging from 1 to n, and the y-axis values ranging from 1 to n.

1. The first part of the document is a list of references. The references are as follows:

1. The first part of the document is a list of references. The references are as follows:

1. The first group of authors (e.g., Berman and
2. Smith, 1992; Berman et al., 1993; Berman
3. et al., 1995; Berman et al., 1996; Berman
4. et al., 1997; Berman et al., 1998; Berman
5. et al., 1999; Berman et al., 2000; Berman
6. et al., 2001; Berman et al., 2002; Berman
7. et al., 2003; Berman et al., 2004; Berman
8. et al., 2005; Berman et al., 2006; Berman
9. et al., 2007; Berman et al., 2008; Berman
10. et al., 2009; Berman et al., 2010; Berman
11. et al., 2011; Berman et al., 2012; Berman
12. et al., 2013; Berman et al., 2014; Berman
13. et al., 2015; Berman et al., 2016; Berman
14. et al., 2017; Berman et al., 2018; Berman
15. et al., 2019; Berman et al., 2020; Berman
16. et al., 2021; Berman et al., 2022; Berman
17. et al., 2023; Berman et al., 2024; Berman
18. et al., 2025; Berman et al., 2026; Berman
19. et al., 2027; Berman et al., 2028; Berman
20. et al., 2029; Berman et al., 2030; Berman
21. et al., 2031; Berman et al., 2032; Berman
22. et al., 2033; Berman et al., 2034; Berman
23. et al., 2035; Berman et al., 2036; Berman
24. et al., 2037; Berman et al., 2038; Berman
25. et al., 2039; Berman et al., 2040; Berman
26. et al., 2041; Berman et al., 2042; Berman
27. et al., 2043; Berman et al., 2044; Berman
28. et al., 2045; Berman et al., 2046; Berman
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34. et al., 2057; Berman et al., 2058; Berman
35. et al., 2059; Berman et al., 2060; Berman
36. et al., 2061; Berman et al., 2062; Berman
37. et al., 2063; Berman et al., 2064; Berman
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149. et al., 2287; Berman et al., 2288; Berman
150. et al., 2289; Berman et al., 2290; Berman
151. et al., 2291;

1. The first step in the process is to identify the problem or issue that needs to be addressed. This involves gathering information and understanding the context of the problem.

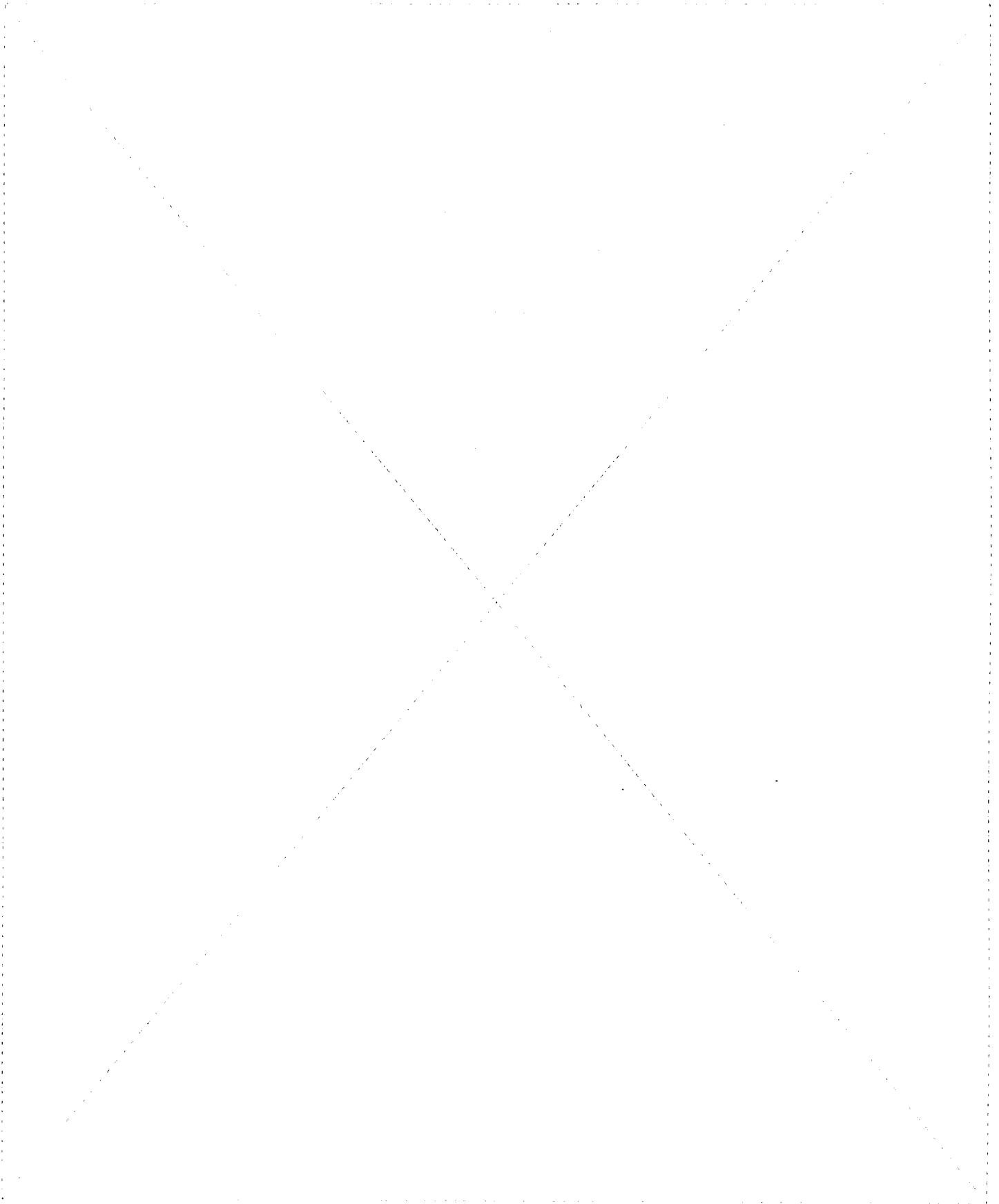
[illegible]

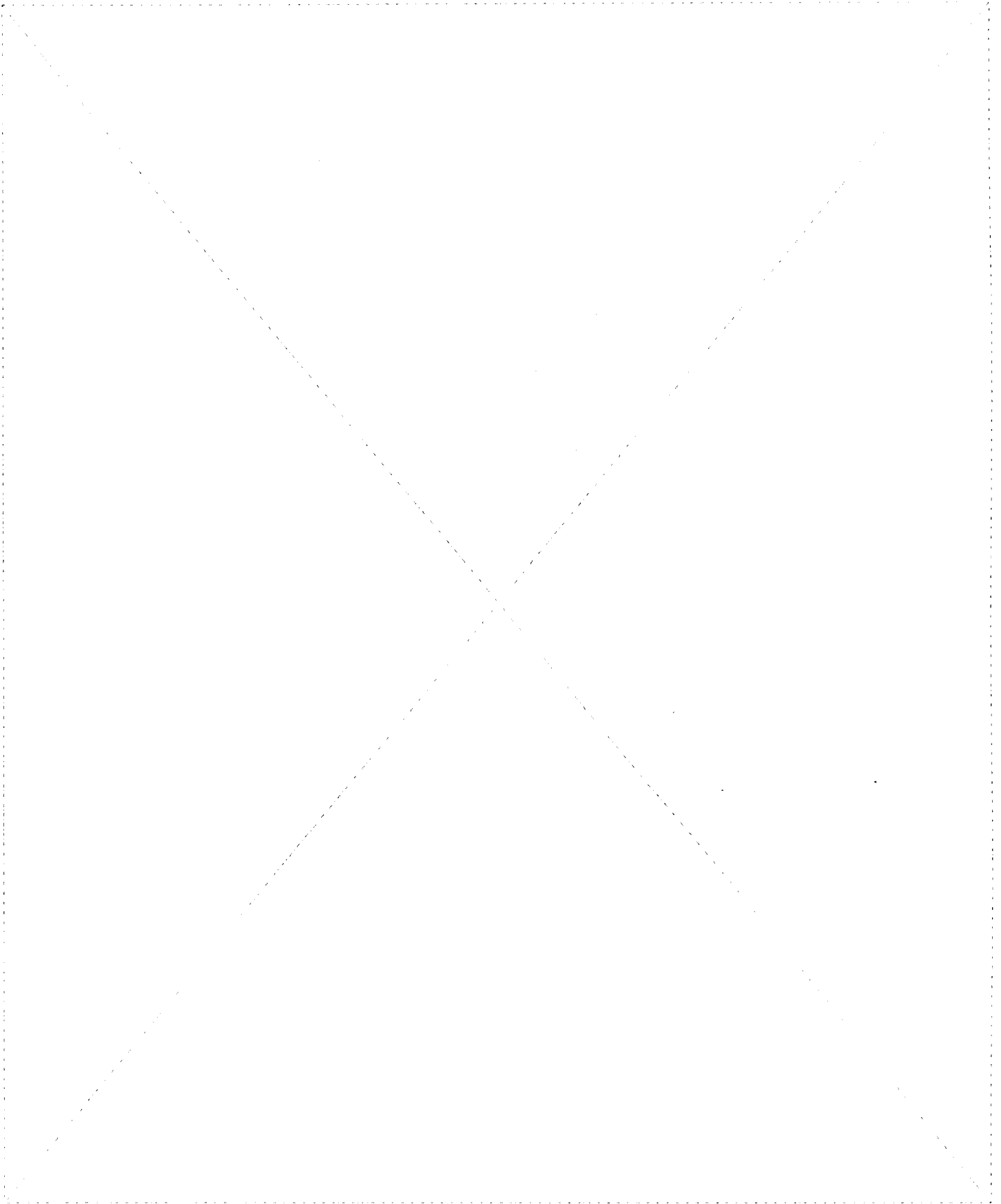
(continued)

>
> *****
Begin forwarded message:

> From: Andreas Gebhard <Andreas.Gebhard@gettyimages.com>
> Date: March 9, 2010 14:37:20 EST
> To: Pancho Bernasconi <Pancho.Bernasconi@gettyimages.com>
> Subject: Re: AFP/Morel
>
> Will double-check w/ Dave, then get back to her.
>
>
> Andreas Gebhard
> New York Picture Desk Manager
> Getty Images Inc
>
> Mobile +1 646 552 6454
> NY Picture Desk +1 646 613 3741
>
> Sent from a BlackBerry
>
>
> From: Pancho Bernasconi
> To: Andreas Gebhard
> Sent: Tue Mar 09 11:22:28 2010
> Subject: Fw: AFP/Morel
>
> Can you answer her, pls?
> Pancho Bernasconi
>
> Director of Photography
> Getty Images News & Sports
> 917-558-1371 (Cell)
> 646-613-3703 (Work)
> pancho.bernasconi@gettyimages.com
> _____
> Sent via Blackberry
>
>
> From: Chris Eisenberg
> To: Pancho Bernasconi
> Sent: Tue Mar 09 11:20:51 2010
> Subject: RE: AFP/Morel
>
> BTW – what is our workflow for removing images from our site when AFP send us a Mandatory Kill notice? Are AFP responsible for doing so themselves?
>
> We currently have 32 AFP images with “Mandatory Kill” in the caption on the website, and when I spot checked, the original image for at least one of those is still on our website (88979394 – kill notices for this one are 88987244, 88987341 and 88987191)
>

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G002900

[illegible]

1. 2017-2018 年 12 月 31 日，公司应收账款账面余额为 1,000,000.00 元，坏账准备余额为 100,000.00 元。

| Age Group | 1970 | 1980 | 1990 | 2000 |
|-----------|------|------|------|------|
| 0-14 | 18.5 | 17.5 | 16.5 | 15.5 |
| 15-24 | 15.5 | 14.5 | 13.5 | 12.5 |
| 25-34 | 12.5 | 11.5 | 10.5 | 9.5 |
| 35-44 | 10.5 | 9.5 | 8.5 | 7.5 |
| 45-54 | 8.5 | 7.5 | 6.5 | 5.5 |
| 55-64 | 6.5 | 5.5 | 4.5 | 3.5 |
| 65-74 | 4.5 | 3.5 | 2.5 | 1.5 |
| 75+ | 2.5 | 1.5 | 0.5 | 0.5 |

[illegible]

✓ 1. The first step in the process of creating a new product is to identify a market need.

✓ 2. The next step is to develop a concept that meets this need.

✓ 3. The third step is to create a prototype of the product.

✓ 4. The fourth step is to test the prototype with potential customers.

✓ 5. The fifth step is to refine the product based on feedback.

✓ 6. The sixth step is to launch the product into the market.

✓ 7. The seventh step is to monitor the product's performance and make adjustments as needed.

✓ 8. The eighth step is to promote the product and build a brand.

✓ 9. The ninth step is to establish a distribution network.

✓ 10. The tenth step is to evaluate the product's success and plan for future improvements.

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Begin forwarded message:

> From: Andreas Gebhard <Andreas.Gebhard@gettyimages.com>
> Date: March 9, 2010 15:32:37 EST
> To: Chris Eisenberg <Chris.Eisenberg@gettyimages.com>
> Cc: Pancho Bernasconi <Pancho.Bernasconi@gettyimages.com>
> Subject: Re: AFP/Morel
>
> Hi Chris,

>

> At the moment, we have no definitive workflow on this. AFP's Washington Bureau is trained and capable of removing images off of TEAMS. The other global AFP offices are not. Since most of their kills seem to originate in the Middle East/Nicosia, this usually falls into London's opening hours. The London desk then usually takes appropriate action, for lack of a better solution. They do not push back to AFP. NYC tends to do that but if it seems important, we rather do it ourselves than waste time in a discussion. In the end: inconsistent.

>

> We should discuss standardizing on one or the other. Probably useful for the greater Image Partner discussion, too.

>

> Regards,

>

> Andreas

>

>

>>

>> From: Chris Eisenberg

>> To: Pancho Bernasconi

>> Sent: Tue Mar 09 11:20:51 2010

>> Subject: RE: AFP/Morel

>> BTW – what is our workflow for removing images from our site when AFP send us a Mandatory Kill notice? Are AFP responsible for doing so themselves?

>>

>> We currently have 32 AFP images with “Mandatory Kill” in the caption on the website, and when I spot checked, the original image for at least one of those is still on our website (88979394 – kill notices for this one are 88987244, 88987341 and 88987191)

>>

>>

>> From: Pancho Bernasconi

>> Sent: Tuesday, March 09, 2010 10:56 AM

>> To: Heather Cameron; Chris Eisenberg

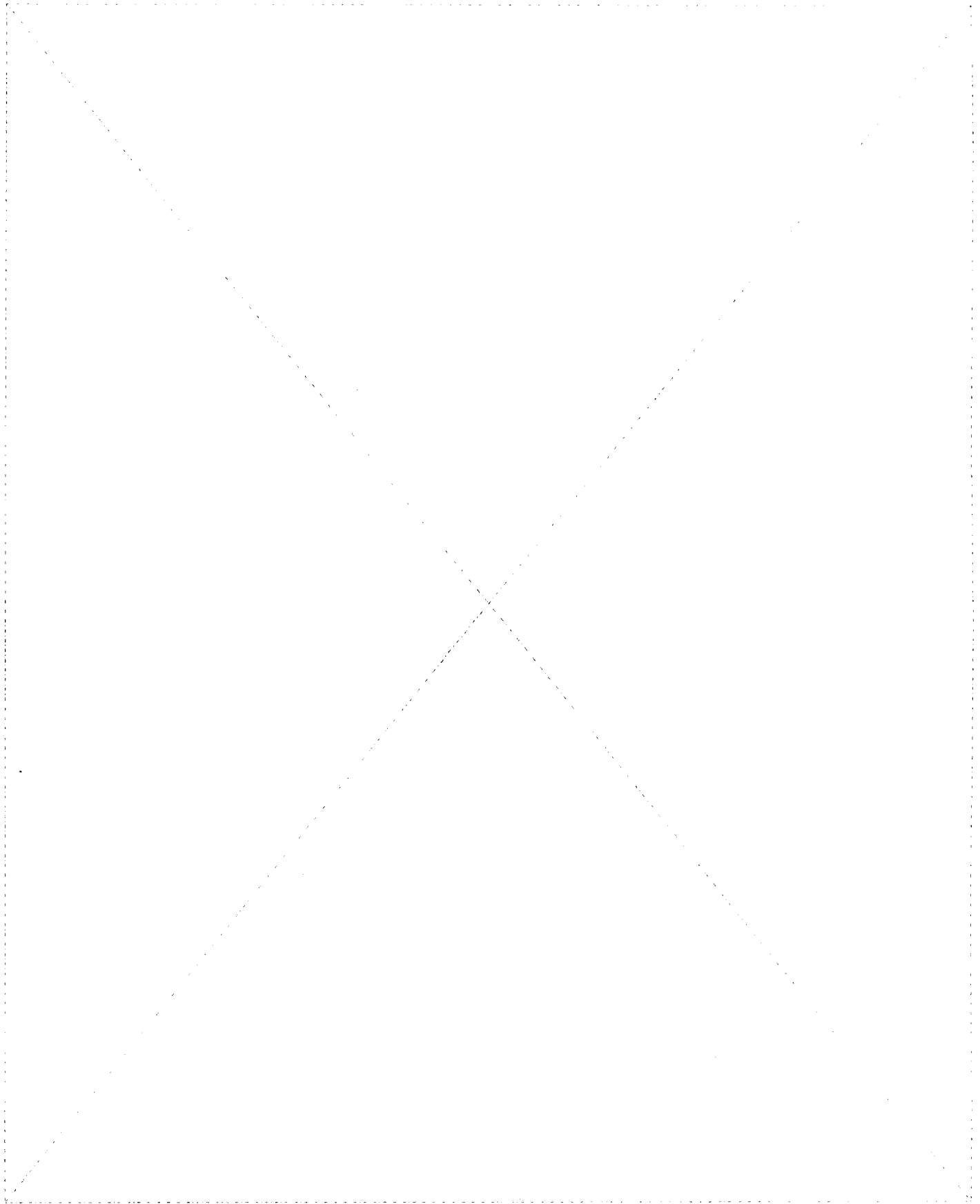
>> Subject: RE: AFP/Morel

>>

>> Not for us to send as it's not our photo. The Kill would have to have been sent by AFP.

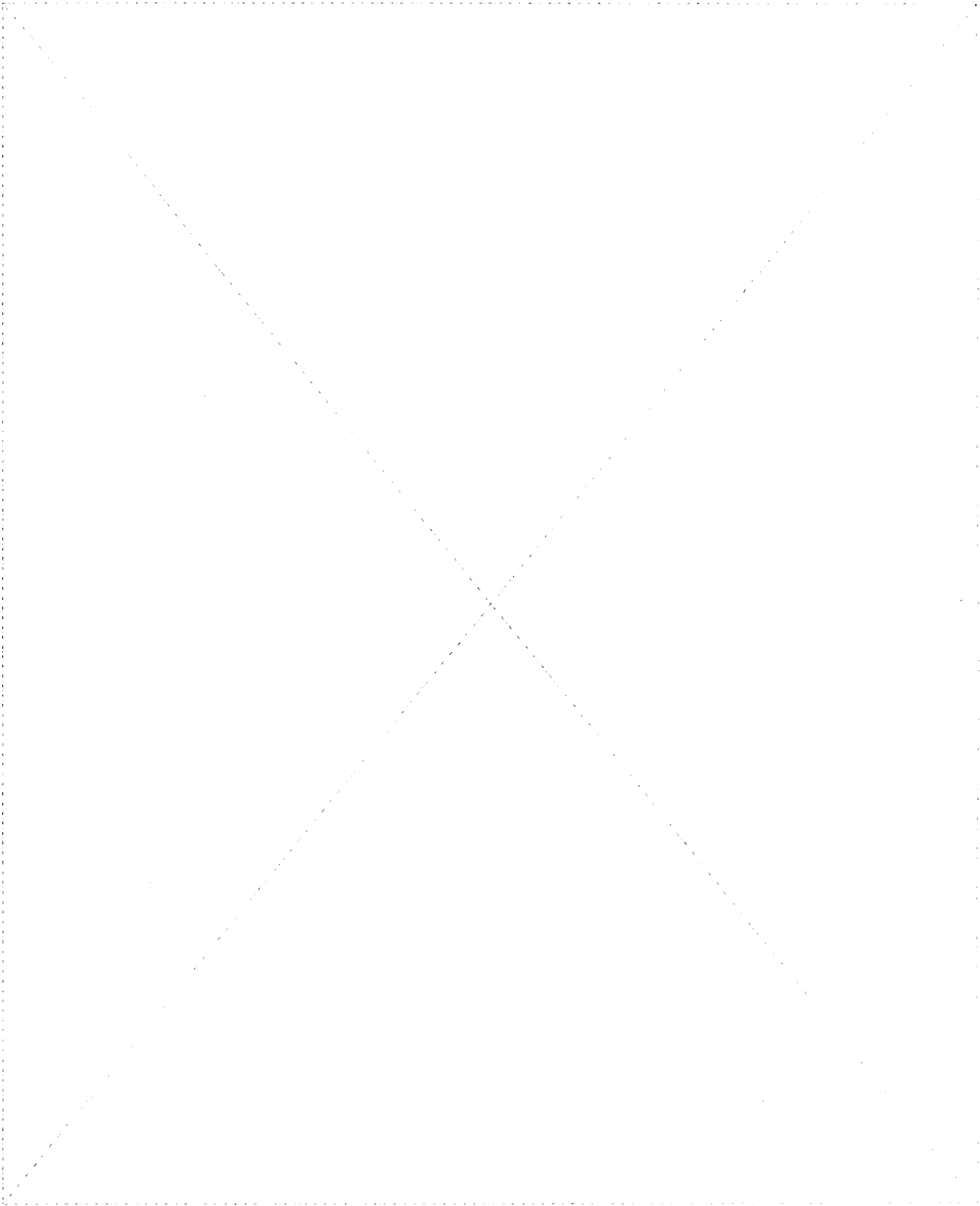
>>

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G002910



[illegible][illegible][illegible][illegible]

[illegible]

[illegible]

G002914

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Begin forwarded message:

> From: Chris Eisenberg <Chris.Eisenberg@gettyimages.com>
> Date: March 9, 2010 16:02:56 EST
> To: Andreas Gebhard <Andreas.Gebhard@gettyimages.com>
> Cc: Pancho Bernasconi <Pancho.Bernasconi@gettyimages.com>
> Subject: RE: AFP/Morel

>
> That's exactly what I was thinking. We should perhaps find out from Legal what our obligation is for partner content where they send us a notice to kill it....

>
> Thanks!

>
> From: Andreas Gebhard
> Sent: Tuesday, March 09, 2010 12:33 PM
> To: Chris Eisenberg
> Cc: Pancho Bernasconi
> Subject: Re: AFP/Morel

>
> Hi Chris,
>

> At the moment, we have no definitive workflow on this. AFP's Washington Bureau is trained and capable of removing images off of TEAMS. The other global AFP offices are not. Since most of their kills seem to originate in the Middle East/Nicosia, this usually falls into London's opening hours. The London desk then usually takes appropriate action, for lack of a better solution. They do not push back to AFP. NYC tends to do that but if it seems important, we rather do it ourselves than waste time in a discussion. In the end: inconsistent.

>

> We should discuss standardizing on one or the other. Probably useful for the greater Image Partner discussion, too.

>

> Regards,

>

> Andreas

>

>

>

> From: Chris Eisenberg

> To: Pancho Bernasconi

> Sent: Tue Mar 09 11:20:51 2010

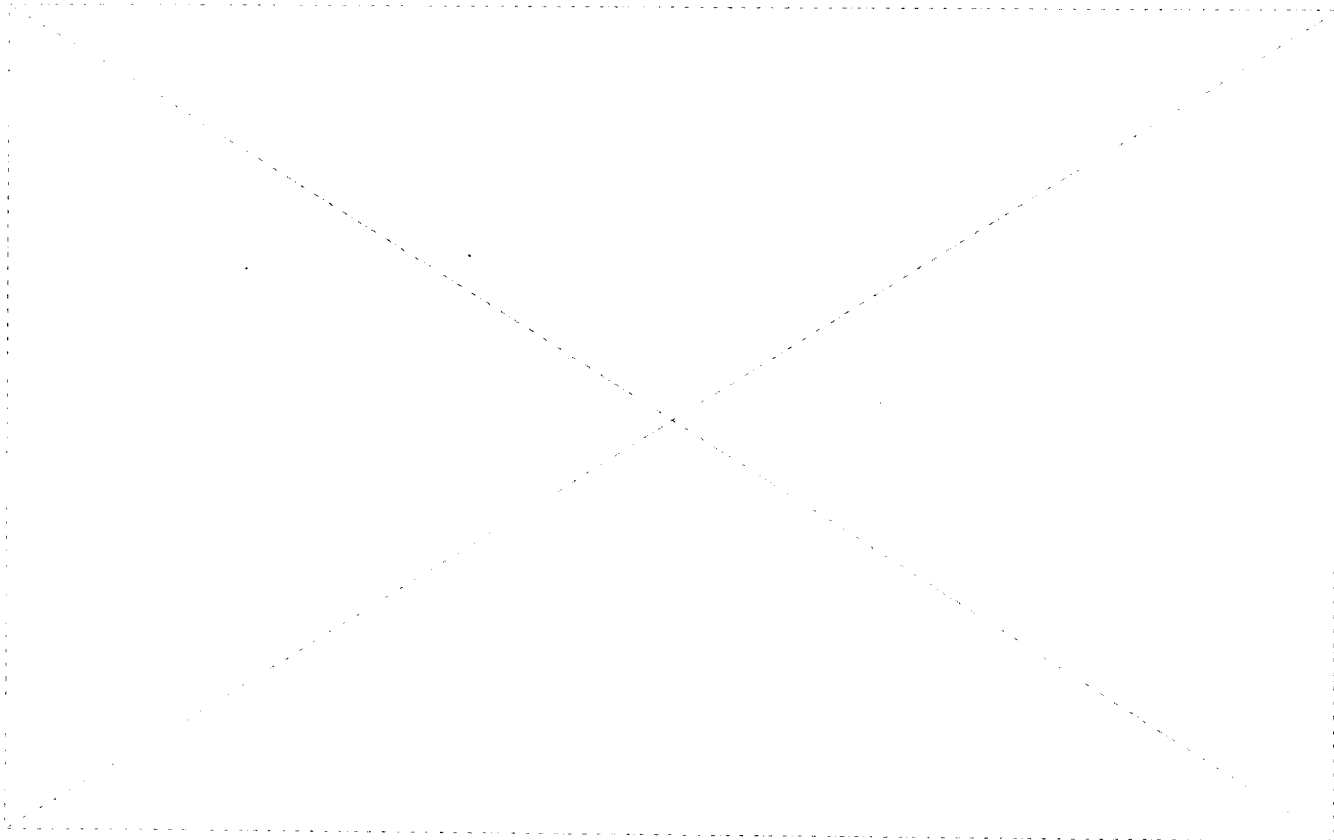
> Subject: RE: AFP/Morel

> BTW – what is our workflow for removing images from our site when AFP send us a Mandatory Kill notice? Are AFP responsible for doing so themselves?

>

> We currently have 32 AFP images with "Mandatory Kill" in the caption on the website, and when I spot checked, the original image for at least one of those is still on our website (88979394 – kill notices for this one are 88987244, 88987341 and 88987191)

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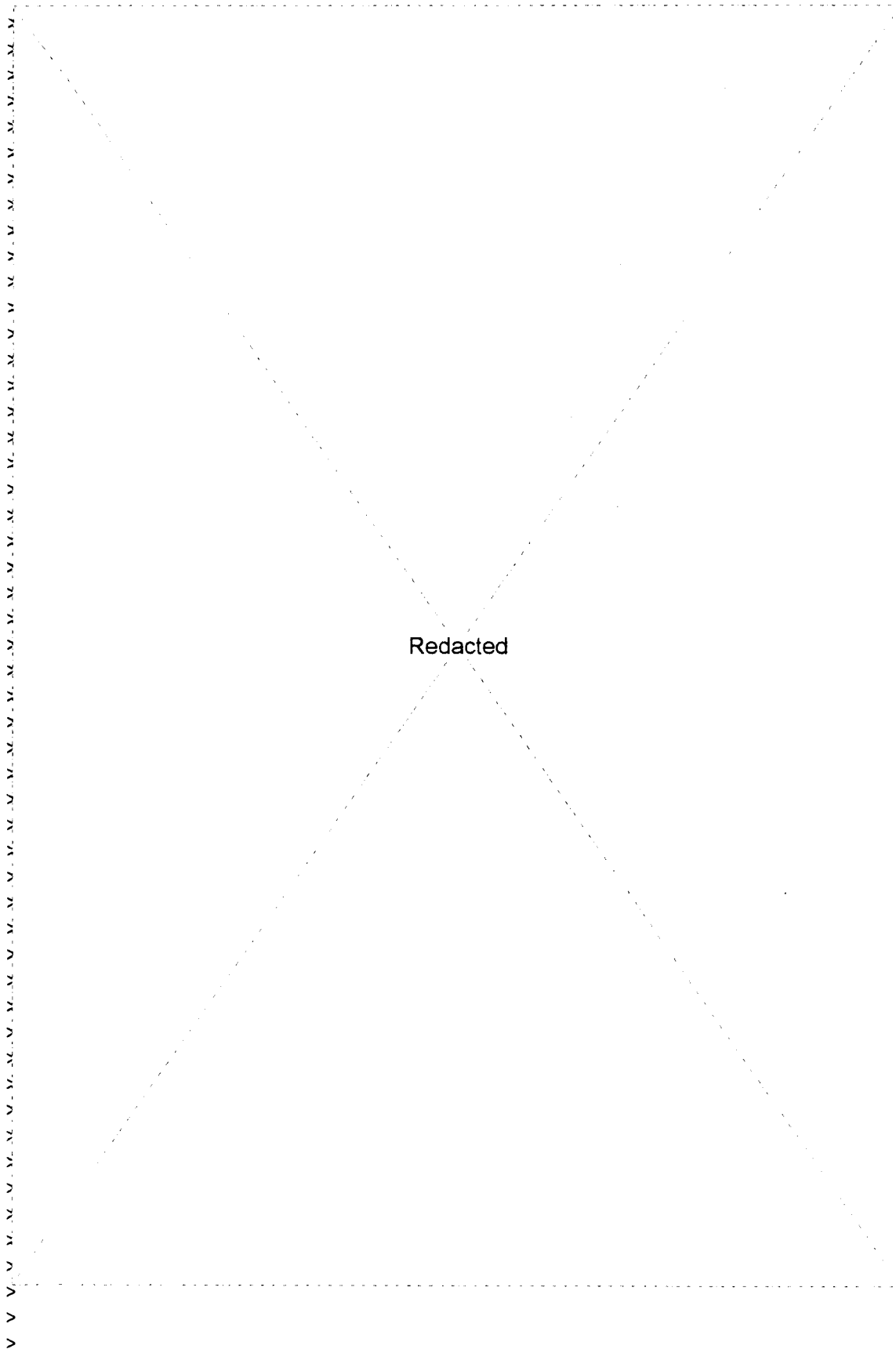
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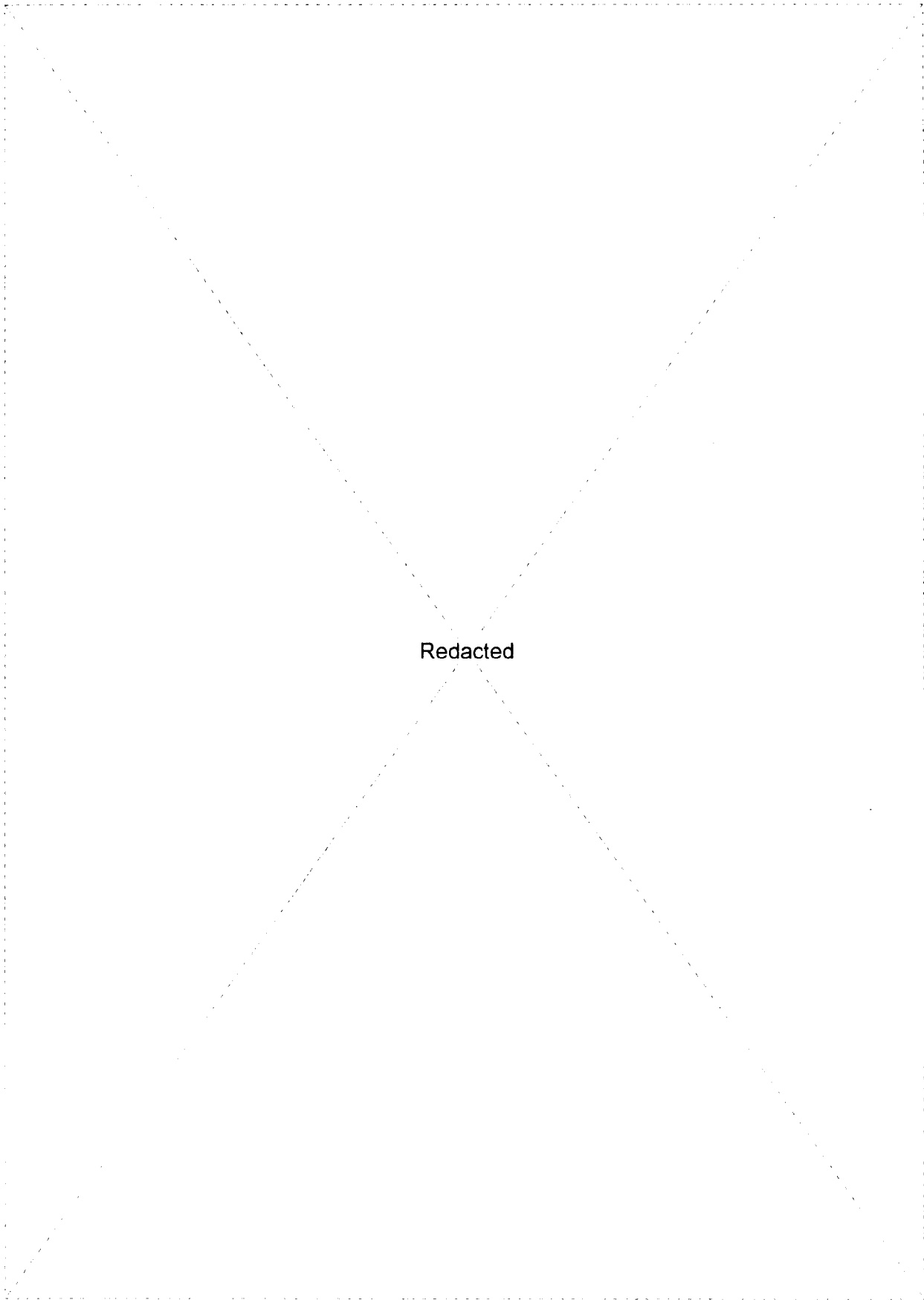
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> From: Claire Keeley [mailto:claire.keeley@corbis.com]
> Sent: Wednesday, January 13, 2010 1:37 PM
> To: Heather Cameron
> Cc: Corbis Copyright Compliance
> Subject: Daniel Morel Haiti Images
> Importance: High

> Heather,

> We have a serious problem that I am hoping you can help me resolve. Today, one of Corbis' editorial photographers uploaded some of his pictures from the earthquake in Haiti and put them on his Twitter page. It appears that they were then illegally copied and distributed to third parties, including Getty. One such example is on the home page of the New York Times website - Daniel's picture is the 14th one and it is credited as "Daniel Morel/AFP-Getty Images." Daniel is exclusive to Corbis and is terribly dismayed by third parties distributing his works. Assuming you aren't the right person to help me, can you please put me in touch with the right person at Getty to see what we can do to halt this distribution? We will be issuing DMCA notices today but I thought that this approach might bear more fruit. Thanks in advance!

> Regards,

> Claire

> Claire L. Keeley

> Senior Corporate Counsel

> Corbis

> <http://www.corbis.com>

> 710 Second Ave., Suite 200

> Seattle, WA 98104

> Main: 206.373.6000

> Direct: 206.373.6293

> Mobile: 206.972.0303

> Fax: 206.373.6100

> Email: claire.keeley@corbis.com

>

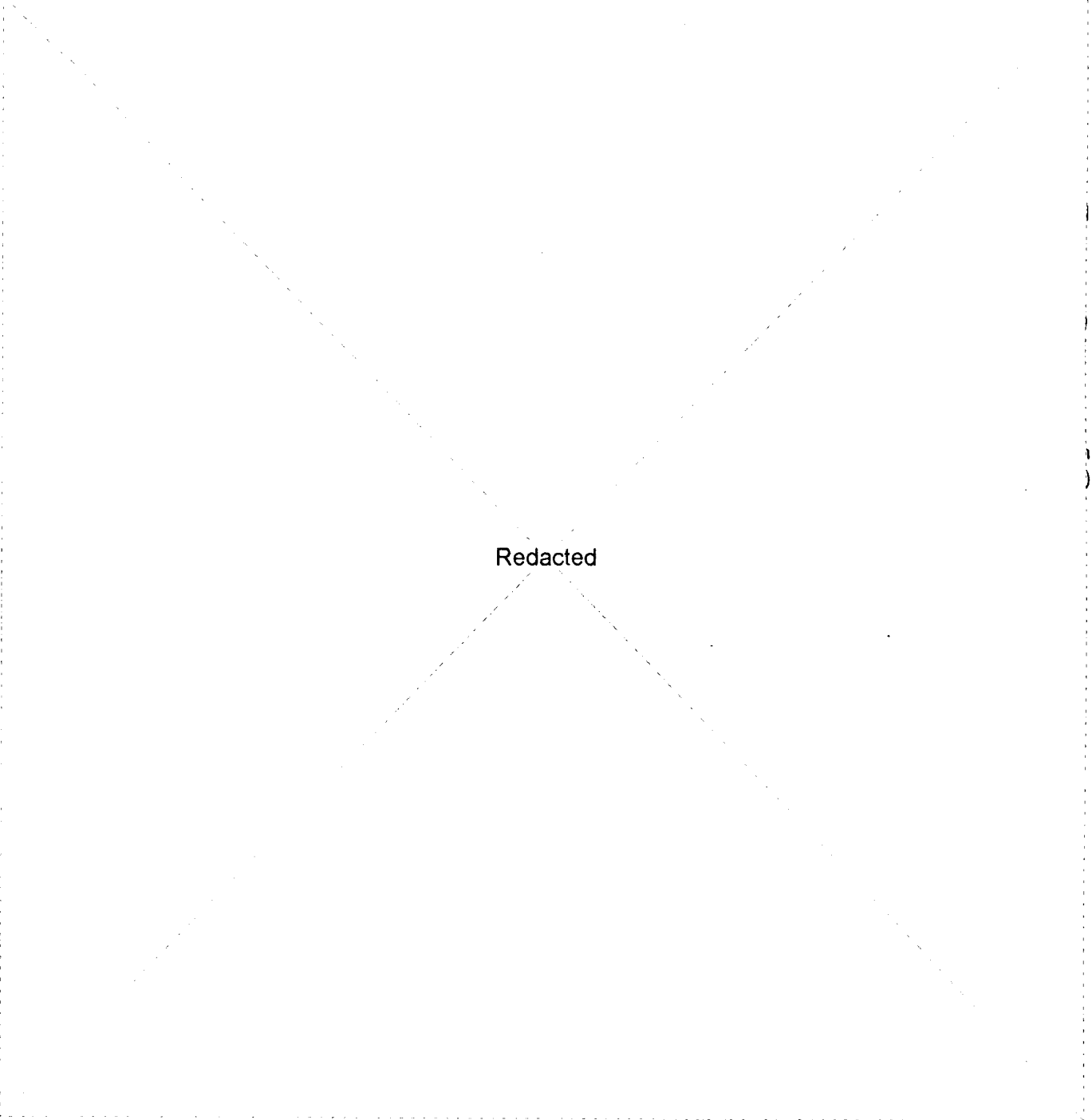
>

> This e-mail may contain information that is privileged, confidential and exempt from disclosure. If you are not the intended recipient, please do not distribute it. Please notify us immediately and delete all copies.

> Thank you.

>

Begin forwarded message:



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> From: Heather Cameron
> Sent: Tuesday, February 02, 2010 5:32 PM
> To: 'Jennifer Walker'; Chris Eisenberg
> Cc: Pancho Bernasconi
> Subject: RE: Daniel Morel Haiti Images
>
> Jennifer, I'm so sorry – I'm not sure what happened – I thought all of them were pulled from our site when you contacted us on the 13th. We'll get these additional 12 down asap. If you haven't heard back from Vincent, you can try contacting Eva Hambach – she confirmed she received our email on the 13th alerting her to the issue.
>
> Chris, would you please make sure the images below are removed from the site immediately? If you could please reply back to all of us when they are down, that would be terrific. Thanks.
>
> 95737370
> 95737394
> 95737403
> 95734704
> 95734818
> 95734844
> 95734865
> 95734878
> 95734885
> 95734896
> 95737398
> 95740695
>
>
> Heather Cameron
> Senior Paralegal
> Getty Images, Inc.
> 601 N. 34th Street
> Seattle, WA 98103
> 206.925.6424 Direct
> 206.925.5623 Facsimile
> heather.cameron@gettyimages.com
> This message may contain privileged or confidential information and is intended only for the individual named. If you are not the named addressee or an employee or agent responsible for delivering this message to the intended recipient you should not disseminate, distribute or copy this e-mail or any attachments hereto. Please notify the sender immediately by e-mail if you have received this e-mail by mistake and delete this e-mail and any attachments from your system without copying or disclosing the contents. E-mail transmission cannot be guaranteed to be secure or error-free as information could be intercepted, corrupted, lost, destroyed, arrive late or incomplete, or contain viruses. The sender therefore does not accept liability for any errors or omissions in the contents of this message, which arise as a result of e-mail transmission. If verification is required please request a hard-copy version. Getty Images, 601 N 34th St, Seattle, WA. 98103, USA, www.gettyimages.com.
> PLEASE NOTE that all incoming e-mails will be automatically scanned by us and by an external service provider to eliminate unsolicited promotional e-mails ("spam"). This could result in deletion of a legitimate e-mail before it is read by its intended recipient at our firm. Please tell us if you have concerns about this automatic filtering.
> From: Jennifer Walker [<mailto:Jennifer.Walker@corbis.com>]

> Sent: Tuesday, February 02, 2010 5:07 PM
> To: Heather Cameron
> Subject: FW: Daniel Morel Haiti Images
>
> Hi Heather,
>
> I have just been notified that Getty still has not removed the Daniel Morel images from its website. Please see the below link...
>
> <http://www.gettyimages.com/Search/Search.aspx?contractUrl=2&language=en-US&family=editorial&assetType=image&p=lisandro%20suero%20haiti#>
>
> I have sent a note to Vincent Amalvy at AFP with no response. Would you mind sharing the name of the person you mention below, in the D.C. office?
>
> Sincerely,
>
> Jennifer Walker
> Intellectual Property Enforcement Specialist
>
> Corbis
> <http://www.corbis.com>
>
> This e-mail may contain information that is privileged, confidential and exempt from disclosure. If you are not the intended recipient, please do not distribute it. Please notify us immediately and delete all copies. Thank you
>
>
>
> From: Heather Cameron [mailto:heather.cameron@gettyimages.com]
> Sent: Wednesday, January 13, 2010 2:53 PM
> To: Claire Keeley
> Cc: Corbis Copyright Compliance; Pancho Bernasconi; Lisa Willmer
> Subject: RE: Daniel Morel Haiti Images
>
> Claire, thank you for letting us know. Our picture desk in New York has already removed the content at issue from our website, all of which came to us via our relationship with AFP. Getty Images has no editorial control over the content posted to our website via AFP. Have you already been in touch with AFP by chance? If not, I can provide you with contact information for someone in their D.C. office (the same person to whom we will forward your email below).
>
> Kind regards,
> Heather Cameron
> Senior Paralegal
>
> Getty Images, Inc.
> 601 N. 34th Street
> Seattle, WA 98103
> 206.925.6424 Direct
> 206.925.5623 Facsimile
> heather.cameron@gettyimages.com
>
> This message may contain privileged or confidential information and is intended only for the individual named. If you are not the named addressee or an employee or agent responsible for delivering this message to the intended recipient

